



The Journal OF THE *House of Representatives*

Number 35

Wednesday, April 21, 2010

The House was called to order by the Speaker at 9:30 a.m.

Prayer

The following prayer was offered by House Chaplain Bob West, upon invitation of the Speaker:

Father, I do thank You for this day that You've made. And in my heart, Father, I'm determined to rejoice and be glad in it. I thank You for these members, those who've devoted so much of their time and energy to the business of the people of Florida and serving others. Father, that's what You want from us, and I thank You for them. And I would ask You today, Lord, to give them a special—an abundance of grace to get through this day, and to serve as You have willed them to do. Father, I thank You for them, I pray for them, for their families, that You'll sustain them and keep them and give them renewed energy for the task at hand. So Lord, I just thank You for who You are and for what You will do for us in this state, through these members today. And Father, I know why You are called the Prince of Peace, because You bring that. In Your name, Amen.

The following members were recorded present:

Session Vote Sequence: 828

Speaker Cretul in the Chair.

Abruzzo	Evers	Kiar	Reed
Adams	Fetterman	Kreegel	Rehwinkel Vasilinda
Adkins	Fitzgerald	Kriseman	Renuart
Ambler	Flores	Legg	Rivera
Anderson	Ford	Llorente	Roberson, K.
Aubuchon	Fresen	Long	Roberson, Y.
Bembry	Frishe	Lopez-Cantera	Rogers
Bernard	Gaetz	Mayfield	Rouson
Bogdanoff	Galvano	McBurney	Sachs
Bovo	Garcia	Murzin	Sands
Boyd	Gibbons	Nehr	Saunders
Brandenburg	Gibson	Nelson	Schenck
Braynon	Glorioso	O'Toole	Schultz
Brisé	Grady	Pafford	Skidmore
Bullard	Hasner	Patronis	Snyder
Burgin	Hays	Patterson	Soto
Cannon	Heller	Plakon	Stargel
Carroll	Holder	Planas	Steinberg
Chestnut	Homan	Poppell	Taylor
Clarke-Reed	Hooper	Porth	Thompson, G.
Cretul	Horner	Precourt	Thompson, N.
Crisafulli	Hudson	Proctor	Thurston
Cruz	Hukill	Rader	Tobia
Domino	Jenne	Randolph	Troutman
Drake	Jones	Ray	Van Zant
Eisnagle	Kelly	Reagan	Waldman

Weatherford
Weinstein

Williams, A.
Williams, T.

Wood
Workman

Zapata

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

Presentation of the Colors

The Colors were presented by members of the Florida Army National Guard: Master Sergeant Thomas H. Aycock, Staff Sergeant Chaddrick Faison, Sergeant Devin Adams, and Sergeant Bernice Watson; Florida Air National Guard: Master Sergeant Michael Haynes and Master Sergeant Kerrie Warren; United States Marine Corps: Sergeant Timothy Taylor; United States Navy: Petty Officer Third Class Bryan Schlenther; and the United States Coast Guard: Officer Trainee Chad Taylor.

Pledge

The members, led by Major Felix Rodriguez, pledged allegiance to the Flag.

National Anthem

Rep. Ambler introduced Ms. Kylie Williams, Miss Florida 2007, of Jasper, who sang "The Star Spangled Banner."

Recognition Ceremony

The Speaker recognized Rep. Ambler to approach the well. Rep. Ambler introduced Adjutant General of Florida, Major General Douglas Burnett, and invited Major General Burnett to join him at the well to be honored.

On motion by Rep. Galvano, the rules were waived and the House agreed to advance to the order of business of—

House Resolutions

Rep. Ambler moved to read HR 9093 the second time in full. The motion was agreed to.

HR 9093—A resolution recognizing the outstanding lifetime service of Major General Douglas Burnett, Adjutant General of Florida.

WHEREAS, Major General Douglas Burnett began his military career in 1963, when he enlisted in the Florida Air National Guard shortly after graduating from high school in Jacksonville, and

WHEREAS, following basic training at Lackland Air Force Base, in Texas, Major General Douglas Burnett attended the United States Air Force Electronics School at Keesler Air Force Base, in Mississippi, and

WHEREAS, in 1969 Major General Douglas Burnett received a direct commission and attended undergraduate pilot training at Randolph Air Force Base, in Texas, and

WHEREAS, Major General Douglas Burnett earned his wings in June 1970 and, after completing F-102 training, was assigned as a full-time Alert Pilot in the NORAD mission in the 125th Fighter Group, and

WHEREAS, Major General Douglas Burnett was dual-qualified in both military fighter and transport aircraft in addition to flying commercially with Pan American World Airways and United Airlines, accumulating over 20,000 flying hours in the T-33, F-102, F-106, C-26, C-130H, C-131, C-54, Boeing 727, and McDonnell-Douglas DC-10, and

WHEREAS, Major General Douglas Burnett received a bachelor's degree in business administration from the University of Southern Mississippi and is a graduate of the Command and General Staff College and the Air War College, and

WHEREAS, Major General Douglas Burnett's military decorations include the Legion of Merit, Meritorious Service Medal with one oak leaf cluster, the Air Force Commendation Medal, the Air Force Achievement Medal, the Combat Readiness Medal with two oak leaf clusters, the Florida Cross, the Florida Distinguished Service Medal, and the Florida Commendation Medal, and

WHEREAS, Major General Douglas Burnett currently serves as Adjutant General of Florida and is a member of the Department of Defense Reserve Forces Policy Board, is actively involved with the National Guard Association of the United States, having served two terms on the Executive Council, and is a past president of the National Guard Officers Association of Florida, and

WHEREAS, Major General Douglas Burnett will be retiring as a two-star general on June 27, 2010, after 47 years of service, the longest serving officer in the history of the United States Air Force, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the members of the House of Representatives congratulate Major General Douglas Burnett on his outstanding service to this state and this nation and express appreciation to him for his great sacrifice in protecting the freedoms enjoyed by all Americans.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the House of Representatives affixed, be presented to Major General Douglas Burnett as a tangible token of the sentiments of the Florida House of Representatives.

—was read the second time in full. On motion by Rep. Ambler, the resolution was adopted.

On motion by Rep. Ambler, the board was opened [Session Vote Sequence: 829] and the following members were recorded as cosponsors of the resolution, along with Rep. Ambler: Reps. Abruzzo, Adams, Adkins, Anderson, Aubuchon, Bemby, Bernard, Bogdanoff, Bovo, Boyd, Brandenburg, Braynon, Brisé, Bullard, Burgin, Cannon, Carroll, Chestnut, Clarke-Reed, Cretul, Crisafulli, Cruz, Domino, Dorworth, Drake, Eisnagle, Evers, Fetterman, Fitzgerald, Flores, Ford, Fresen, Frishe, Gaetz, Galvano, Garcia, Gibbons, Gibson, Glorioso, Gonzalez, Grady, Hasner, Hays, Heller, Holder, Homan, Hooper, Horner, Hudson, Hukill, Jenne, Jones, Kelly, Kiar, Kreegel, Kriseman, Legg, Llorente, Long, Lopez-Cantera, Mayfield, McBurney, Murzin, Nehr, Nelson, O'Toole, Pafford, Patronis, Patterson, Plakon, Planas, Poppell, Porth, Precourt, Proctor, Rader, Randolph, Ray, Reagan, Reed, Rehwinkel, Vasilinda, Renuart, Rivera, K. Roberson, Y. Roberson, Rogers, Rouson, Sachs, Sands, Saunders, Schenck, Schultz, Skidmore, Snyder, Stargel, Steinberg, Taylor, G. Thompson, N. Thompson, Thurston, Tobia, Troutman, Van Zant, Waldman, Weatherford, Weinstein, A. Williams, T. Williams, Wood, Workman, and Zapata.

Remarks

Rep. Ambler presented Major General Burnett with a copy of the House Resolution, and recognized him to make brief remarks.

Motion

Rep. Galvano moved that the House revert to the order of business of Correction of the *Journal*. The motion was agreed to.

Correction of the *Journal*

The *Journal* of April 20 was corrected and approved as corrected.

Reports of Standing Councils and Committees

Reports of the Rules & Calendar Council

The Honorable Larry Cretul
Speaker, House of Representatives

April 19, 2010

Dear Mr. Speaker:

Your Rules & Calendar Council herewith submits the Special Order for Wednesday, April 21, 2010. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

I. Consideration of the following bills:

CS/HB 7129 - Economic Development & Community Affairs Policy Council, Military & Local Affairs Policy Committee, & others
Military Support

CS/HB 129 - Military & Local Affairs Policy Committee, Renuart, & others
Military Affairs

CS/SB 464 - Transportation and Economic Development Appropriations, Fasano, & others
Military Affairs/Leave of Absence [GPSC]

HB 521 - Proctor, Ambler, & others
Interstate Compact on Educational Opportunity for Military Children

CS/HB 1003 - Agriculture & Natural Resources Policy Committee, Drake, & others
Veterans

CS/HB 1145 - Agriculture & Natural Resources Policy Committee, Bemby, & others
State Parks

HB 1159 - Hukill, Burgin, & others
Veterans' Guardianship

CS/HB 1455 - Public Safety & Domestic Security Policy Committee, Sachs, & others
Misrepresentation of Military Status

II. Consideration of the following bills:

CS for HM 1589 & HM 1365 - General Government Policy Council, Legg, Zapata, & others
Numeric Nutrient Criteria

CS/HM 1609 - Rules & Calendar Council, Fresen, & others
Enemy Combatant Trials in Civilian Courtrooms

CS/HM 1535 - Rules & Calendar Council, Adams, & others
Federal Energy or Climate Legislation or Regulations

CS/HB 1525 - Economic Development & Community Affairs Policy Council, Weatherford, & others
Nonbinding Statewide Advisory Referendum

CS/SB 2742 - Judiciary, Atwater, & others
Nonbinding Statewide Advisory Referendum [SPSC]

CS/HM 1583 - Full Appropriations Council on Education & Economic Development, Hukill, & others
Federal Budget

SCR 10 - Atwater, Gaetz, & others
Balanced Federal Budget [SPSC]

CS/CS/HJR 37 - Rules & Calendar Council, Health Care Regulation Policy Committee, & others
Health Care Services

CS/HM 227 - Economic Development & Community Affairs Policy Council, Adams, & others
Control of Florida National Guard by Governor

CS/HM 553 - General Government Policy Council, Coley, & others
Fishery Conservation and Management

HJR 15 - Pafford, Heller, & others
Department of Elder Affairs

CS/CS/HB 225 - Health Care Appropriations Committee, Health Care Regulation Policy Committee, & others
Controlled Substances

HB 7239 - Health Care Appropriations Committee, Grimsley
Pub. Rec./Statements of Reference/Board of Pharmacy

CS/HM 1349 - Rules & Calendar Council, Skidmore, & others
Community-Based Services for Individuals with Developmental Disabilities

III. Consideration of the following bills:

CS/HM 1187 - Economic Development & Community Affairs Policy Council, Horner, & others
Space Program

CS/HM 253 - Economic Development & Community Affairs Policy Council, Workman, & others
Space Shuttle Orbiter Retirement

SM 944 - Altman, Haridopolos, & others
Space Shuttle Orbiter Retirement [CPSC]

CS/HM 481 - Economic Development & Community Affairs Policy Council, Crisafulli, & others
NASA & John F. Kennedy Space Center Funding

CS/HM 1199 - Economic Development & Community Affairs Policy Council, Crisafulli, & others
Spaceflight Operations Workforce

SM 1896 - Altman, Lynn
Commercial, Civil, Military, or Academic Endeavors [CPSC]

CS/CS/HB 1389 - Finance & Tax Council, Economic Development Policy Committee, & others
Space and Aerospace Infrastructure

IV. Consideration of the following bills:

CS/CS/CS/HB 713 - General Government Policy Council, Government Operations Appropriations Committee, & others
Department of Business and Professional Regulation

CS/CS/HB 869 - Economic Development & Community Affairs Policy

Council, Governmental Affairs Policy Committee, & others
Political Advertisements

HB 1195 - Frishe
Road & Bridge Designations

CS/HB 7213 - Finance & Tax Council, Economic Development & Community Affairs Policy Council, & others
Capital Formation for Infrastructure Projects

CS/CS/HB 31 - Policy Council, PreK-12 Policy Committee, & others
Public Education

CS/CS/HB 633 - Full Appropriations Council on Education & Economic Development, Insurance, Business & Financial Affairs Policy Committee, & others
Human Trafficking

CS/CS/HB 1411 - Criminal & Civil Justice Policy Council, Civil Justice & Courts Policy Committee, & others
Foreclosures

HR 1613 - Lopez-Cantera
Taiwan

CS/HB 7205 - Full Appropriations Council on Education & Economic Development, Governmental Affairs Policy Committee, & others
Professional Sports Franchises

CS/CS/CS/HB 621 - Criminal & Civil Justice Policy Council, Criminal & Civil Justice Appropriations Committee, & others
Credit and Debit Card Crimes

CS/HB 821 - Insurance, Business & Financial Affairs Policy Committee, Thurston
International Commerical Arbitration

HB 1301 - Rader, Ambler
Violations of County Ordinances

CS/HB 1603 - Economic Development & Community Affairs Policy Council, Cruz, & others
Florida State Employees' Charitable Campaign

CS/HB 523 - Government Operations Appropriations Committee, Williams, A., & others
Florida Civil Rights Hall of Fame

CS/HB 317 - Public Safety & Domestic Security Policy Committee, Adkins, & others
Threats

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,
Bill Galvano, Chair
Rules & Calendar Council

On motion by Rep. Galvano, the above report was adopted.

Bills and Joint Resolutions on Third Reading

CS/CS/HB 945—A bill to be entitled An act relating to automated external defibrillators in assisted living facilities; amending s. 429.255, F.S.; requiring certain assisted living facilities to possess a functioning automated external defibrillator; encouraging an assisted living facility to register the location of the automated external defibrillator with a local emergency medical services medical director; providing immunity from liability under the Good Samaritan Act and the Cardiac Arrest Survival Act; authorizing the Department of

Elderly Affairs to adopt rules relating to the use of automated external defibrillators; providing appropriations; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 830

Speaker Cretul in the Chair.

Yeas—99

Abruzzo	Flores	Llorente	Roberson, Y.
Adams	Ford	Long	Rogers
Adkins	Fresen	Lopez-Cantera	Rouson
Ambler	Frishe	Mayfield	Sachs
Anderson	Gaetz	McBurney	Saunders
Aubuchon	Galvano	Murzin	Schenck
Bembry	Garcia	Nehr	Schultz
Bernard	Gibson	Nelson	Snyder
Bogdanoff	Glorioso	O'Toole	Soto
Bovo	Gonzalez	Patronis	Stargel
Boyd	Grady	Patterson	Steinberg
Braynon	Grimsley	Plakon	Taylor
Bullard	Hasner	Planas	Thompson, N.
Cannon	Hays	Poppell	Tobia
Carroll	Heller	Porth	Troutman
Clarke-Reed	Holder	Precourt	Van Zant
Cretul	Homan	Proctor	Waldman
Crisafulli	Hooper	Rader	Weatherford
Cruz	Horner	Ray	Weinstein
Domino	Hudson	Reagan	Williams, A.
Dorworth	Hukill	Reed	Williams, T.
Drake	Kelly	Renuart	Wood
Eisnaugle	Kiar	Rivera	Workman
Evers	Kreegel	Robaina	Zapata
Fetterman	Legg	Roberson, K.	

Nays—13

Brisé	Jenne	Rehwinkel Vasilinda	Thurston
Burgin	Kriseman	Sands	
Chestnut	Pafford	Skidmore	
Fitzgerald	Randolph	Thompson, G.	

Votes after roll call:

Yeas—Brandenburg, Gibbons, McKeel, Schwartz

Yeas to Nays—Boyd

So the bill passed and was immediately certified to the Senate.

CS/HB 91—A bill to be entitled An act relating to adult protective services; amending s. 415.101, F.S.; revising legislative intent with respect to adult protective services; providing for care and protection of all vulnerable adults; amending s. 415.102, F.S.; defining the term "activities of daily living"; revising the definition of the term "vulnerable adult"; conforming a cross-reference; amending s. 415.103, F.S.; providing for certain suspected abuse cases to be transferred to the local county sheriff's office; amending s. 415.1051, F.S.; providing for the Department of Children and Family Services to file a petition to determine incapacity and guardianship under certain circumstances; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to provide copies of drivers' license files to the Department of Children and Family Services to conduct protective investigations; amending ss. 435.04, 943.0585, and 943.059, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 831

Speaker Cretul in the Chair.

Yeas—113

Abruzzo	Fitzgerald	Llorente	Rouson
Adams	Flores	Long	Sachs
Adkins	Ford	Lopez-Cantera	Sands
Ambler	Fresen	Mayfield	Saunders
Anderson	Frishe	McBurney	Schenck
Aubuchon	Gaetz	Murzin	Schultz
Bembry	Galvano	Nehr	Skidmore
Bernard	Garcia	Nelson	Snyder
Bogdanoff	Gibbons	O'Toole	Soto
Bovo	Gibson	Pafford	Stargel
Boyd	Glorioso	Patronis	Steinberg
Brandenburg	Gonzalez	Patterson	Taylor
Braynon	Grady	Plakon	Thompson, G.
Brisé	Hasner	Planas	Thompson, N.
Bullard	Hays	Poppell	Thurston
Burgin	Heller	Porth	Tobia
Cannon	Holder	Proctor	Troutman
Carroll	Homan	Rader	Van Zant
Chestnut	Hooper	Randolph	Waldman
Clarke-Reed	Horner	Ray	Weatherford
Cretul	Hudson	Reagan	Weinstein
Crisafulli	Hukill	Reed	Williams, A.
Cruz	Jenne	Rehwinkel Vasilinda	Williams, T.
Domino	Jones	Renuart	Wood
Dorworth	Kelly	Rivera	Workman
Drake	Kiar	Robaina	Zapata
Eisnaugle	Kreegel	Roberson, K.	
Evers	Kriseman	Roberson, Y.	
Fetterman	Legg	Rogers	

Nays—None

Votes after roll call:

Yeas—Grimsley, McKeel, Precourt, Schwartz

So the bill passed and was immediately certified to the Senate.

CS/HB 7183—A bill to be entitled An act relating to the reorganization of the Department of Health; amending s. 20.43, F.S.; revising the mission and responsibilities of the department; providing duties of the State Surgeon General with respect to management of the department; abolishing responsibility to regulate health practitioners effective July 1, 2011; abolishing specified divisions of the department effective July 1, 2011, unless reviewed and reenacted by the Legislature; authorizing the department to establish multicounty service areas for county health departments; requiring the department to submit a reorganization plan to the Legislature by a specified date; prohibiting the department from establishing new programs or modifying current programs without legislative approval; requiring the department to seek approval from the Legislative Budget Commission for certain activities; providing that the request for approval is subject to certain notice, review, and objection procedures; amending s. 381.0011, F.S.; revising duties and powers of the department; requiring the department to manage emergency preparedness and disaster response functions; authorizing the department to issue health alerts or advisories under certain conditions; revising rulemaking authority of the department; amending s. 381.006, F.S.; revising the definition of the term "group care facility"; amending s. 381.0072, F.S.; revising the definition of the term "food service establishment"; authorizing the department to advise and consult with other agencies relating to the provision of food services; revising entities that are exempt from rules relating to standards for food service establishment manager certification; amending s. 381.0101, F.S.; revising the definition of the term "primary environmental health program"; repealing s. 381.001, F.S., relating to legislative intent with respect to the state's public health system; repealing s. 381.04015, F.S., relating to the Women's Health Strategy; repealing s. 401.243, F.S., relating to the department's injury prevention program; repealing ss. 411.23, 411.231, and 411.232, F.S., relating to the Children's Early Investment Act; amending s. 381.4018, F.S.; providing definitions; revising the list of governmental stakeholders that the department is required to work with regarding the state strategic plan and in assessing the state's physician workforce; creating the Physician Workforce Advisory Council; providing for appointments, membership, terms, and duties of the council; providing that council members are not entitled to receive compensation or reimbursement for per diem or travel expenses; providing the duties of the

council; amending s. 392.51, F.S.; revising legislative intent with respect to the delivery of tuberculosis control services; amending s. 392.69, F.S.; requiring the department to develop a plan to provide tuberculosis services; requiring the department to submit the plan to the Governor and Legislature; amending ss. 411.01 and 411.224, F.S.; conforming cross-references; amending s. 456.074, F.S.; requiring the Secretary of Business and Professional Regulation to consult with the State Surgeon General before issuing an emergency suspension order for certain licensed providers; providing a deadline for the recommendation; amending ss. 458.3192 and 459.0082, F.S.; requiring the department to determine by geographic area and specialty the number of physicians who plan to relocate outside the state, practice medicine in this state, and reduce or modify the scope of their practice; authorizing the department to include additional information in its report to the Governor and Legislature; amending s. 499.003, F.S.; defining the term "medical convenience kit" for purposes of pt. I of ch. 499, F.S.; conforming cross-references; amending s. 499.01, F.S.; creating an exemption from device manufacturer permits for certain persons; amending s. 499.01212, F.S.; exempting specified prescription drugs from pedigree paper requirements under certain circumstances; amending s. 499.029, F.S.; renaming the Cancer Drug Donation Program as the Prescription Drug Donation Program; revising definitions; expanding the drugs and supplies that may be donated under the program; expanding the types of facilities and practitioners that may participate in the program; conforming provisions to changes in terminology; amending s. 509.013, F.S.; revising the definitions of the terms "public lodging establishment" and "public food establishment"; transferring and reassigning certain functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources, from the Department of Health to the Department of Business and Professional Regulation by a type two transfer; providing for the continued validity of pending judicial or administrative actions to which the Department of Health is a party; providing for the continued validity of lawful orders issued by the Department of Health; transferring rules created by the Department of Health to the Department of Business and Professional Regulation; providing for the continued validity of permits and certifications issued by the Department of Health; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 832

Speaker Cretul in the Chair.

Yeas—81

Adams	Frishe	Long	Robaina
Adkins	Gaetz	Lopez-Cantera	Roberson, K.
Ambler	Galvano	Mayfield	Sachs
Anderson	Garcia	McBurney	Schenck
Aubuchon	Glorioso	Murzin	Schultz
Bogdanoff	Gonzalez	Nehr	Snyder
Bovo	Grady	Nelson	Stargel
Brandenburg	Hasner	O'Toole	Thompson, G.
Burgin	Hays	Patronis	Thompson, N.
Cannon	Heller	Patterson	Tobia
Carroll	Holder	Plakon	Troutman
Cretul	Homan	Planas	Van Zant
Crisafulli	Hooper	Poppell	Weatherford
Domino	Horner	Precourt	Weinstein
Dorworth	Hudson	Proctor	Williams, T.
Drake	Hukill	Rader	Wood
Eisnaugle	Jones	Randolph	Workman
Evers	Kelly	Ray	Zapata
Flores	Kreegel	Reagan	
Ford	Legg	Renuart	
Fresen	Llorente	Rivera	

Nays—30

Abruzzo	Boyd	Bullard	Cruz
Bembry	Braynon	Chestnut	Fetterman
Bernard	Brisé	Clarke-Reed	Fitzgerald

Gibson	Reed	Sands	Thurston
Jenne	Rehwinkel Vasilinda	Saunders	Waldman
Kiar	Roberson, Y.	Skidmore	Williams, A.
Kriseman	Rogers	Steinberg	
Pafford	Rouson	Taylor	

Votes after roll call:

Yeas—Gibbons, Grimsley, McKeel, Porth

Nays—Schwartz, Soto

Yeas to Nays—Garcia, Jones, Sachs

So the bill passed, as amended, and was immediately certified to the Senate.

THE SPEAKER PRO TEMPORE IN THE CHAIR

CS/HB 491—A bill to be entitled An act relating to teaching nursing homes; amending s. 430.80, F.S.; revising the term "teaching nursing home" as it relates to the implementation of a teaching nursing home pilot project; revising the requirements to be designated as a teaching nursing home; amending s. 400.141, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 833

Representative Reagan in the Chair.

Yeas—112

Abruzzo	Fetterman	Kriseman	Roberson, K.
Adams	Fitzgerald	Legg	Roberson, Y.
Adkins	Flores	Llorente	Rogers
Ambler	Ford	Long	Rouson
Anderson	Fresen	Mayfield	Sachs
Aubuchon	Frishe	McBurney	Sands
Bembry	Gaetz	Murzin	Saunders
Bernard	Galvano	Nehr	Schenck
Bogdanoff	Garcia	Nelson	Schultz
Bovo	Gibbons	O'Toole	Skidmore
Boyd	Gibson	Pafford	Snyder
Brandenburg	Glorioso	Patronis	Stargel
Braynon	Gonzalez	Patterson	Steinberg
Brisé	Grady	Plakon	Taylor
Bullard	Hasner	Planas	Thompson, G.
Burgin	Hays	Poppell	Thompson, N.
Bush	Heller	Porth	Thurston
Cannon	Holder	Precourt	Tobia
Carroll	Homan	Proctor	Troutman
Chestnut	Hooper	Rader	Van Zant
Clarke-Reed	Horner	Randolph	Waldman
Crisafulli	Hudson	Ray	Weatherford
Cruz	Hukill	Reagan	Weinstein
Domino	Jenne	Reed	Williams, A.
Dorworth	Jones	Rehwinkel Vasilinda	Williams, T.
Drake	Kelly	Renuart	Wood
Eisnaugle	Kiar	Rivera	Workman
Evers	Kreegel	Robaina	Zapata

Nays—None

Votes after roll call:

Yeas—Cretul, Grimsley, Lopez-Cantera, McKeel, Schwartz, Soto

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1337 was temporarily postponed.

CS/CS/HB 509—A bill to be entitled An act relating to blood establishments; amending s. 381.06014, F.S.; prohibiting a local government from restricting access to or use of public facilities or infrastructure for the collection of blood or blood components from volunteer donors based on certain criteria; prohibiting blood establishments from determining the price of blood or blood components based on certain criteria; amending s. 499.003,

F.S.; revising the definition of the term "wholesale distribution" to exclude certain drugs and products distributed by blood establishments; amending s. 499.01, F.S.; excluding certain blood establishments from the requirement to obtain a prescription drug manufacturer permit; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 834

Representative Reagan in the Chair.

Yeas—111

Abruzzo	Fitzgerald	Llorente	Roberson, Y.
Adams	Flores	Long	Rogers
Adkins	Ford	Lopez-Cantera	Rouson
Ambler	Fresen	Mayfield	Sachs
Anderson	Frishe	McBurney	Sands
Aubuchon	Gaetz	Murzin	Saunders
Bembry	Galvano	Nehr	Schenck
Bogdanoff	Garcia	Nelson	Schultz
Bovo	Gibbons	O'Toole	Skidmore
Boyd	Gibson	Pafford	Snyder
Brandenburg	Glorioso	Patronis	Stargel
Braynon	Gonzalez	Patterson	Steinberg
Brisé	Grady	Plakon	Taylor
Bullard	Hasner	Planas	Thompson, G.
Burgin	Hays	Poppell	Thompson, N.
Bush	Heller	Porth	Thurston
Cannon	Holder	Precourt	Tobia
Carroll	Homan	Proctor	Troutman
Chestnut	Hooper	Rader	Van Zant
Clarke-Reed	Horner	Randolph	Waldman
Crisafulli	Hudson	Ray	Weatherford
Cruz	Hukill	Reagan	Weinstein
Domino	Jenne	Reed	Williams, A.
Dorworth	Kelly	Rehwinkel Vasilinda	Williams, T.
Drake	Kiar	Renuart	Wood
Eisnaugle	Kreegel	Rivera	Workman
Evers	Kriseman	Robaina	Zapata
Fetterman	Legg	Roberson, K.	

Nays—None

Votes after roll call:

Yeas—Bernard, Cretul, Grimsley, McKeel, Schwartz, Soto

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 911—A bill to be entitled An act relating to electronic health information; amending s. 408.05, F.S.; removing a statement of legislative intent; removing certain restrictions on the use of certain funds and fees received by the Florida Center for Health Information and Policy Analysis; requiring the State Consumer Health Information and Policy Advisory Council to develop the Agency for Health Care Administration's strategic plan relating to electronic health records; amending s. 408.051, F.S.; defining the term "agency"; creating s. 408.0514, F.S.; requiring the agency to coordinate with regional extension centers to implement the use of electronic health records; amending s. 408.061, F.S.; deleting a reference to an administrative rule relating to certain data reported by health care facilities; amending s. 408.0611, F.S.; revising provisions relating to a clearinghouse on information on electronic prescribing; requiring the State Consumer Health Information and Policy Advisory Council or a workgroup representing electronic prescribing and other health information technology stakeholders to participate in quarterly meetings on the implementation of electronic prescribing; requiring the agency to provide a report on the agency's Internet website; amending s. 408.062, F.S.; requiring the agency to post certain information on health care expenditures on the agency's Internet website; amending s. 408.063, F.S.; deleting the requirement that the agency annually publish a report on state health expenditures; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 835

Representative Reagan in the Chair.

Yeas—113

Abruzzo	Fitzgerald	Llorente	Rogers
Adams	Flores	Long	Rouson
Adkins	Ford	Lopez-Cantera	Sachs
Ambler	Fresen	Mayfield	Sands
Anderson	Frishe	McBurney	Saunders
Aubuchon	Gaetz	Murzin	Schenck
Bembry	Galvano	Nehr	Schultz
Bernard	Garcia	Nelson	Skidmore
Bogdanoff	Gibbons	O'Toole	Snyder
Bovo	Gibson	Pafford	Stargel
Boyd	Gonzalez	Patronis	Steinberg
Brandenburg	Grady	Patterson	Taylor
Braynon	Grimsley	Plakon	Thompson, G.
Brisé	Hasner	Planas	Thompson, N.
Bullard	Hays	Poppell	Thurston
Burgin	Heller	Porth	Tobia
Bush	Holder	Precourt	Troutman
Cannon	Homan	Proctor	Van Zant
Carroll	Hooper	Rader	Waldman
Chestnut	Horner	Randolph	Weatherford
Clarke-Reed	Hudson	Ray	Weinstein
Crisafulli	Hukill	Reagan	Williams, A.
Cruz	Jenne	Reed	Williams, T.
Domino	Jones	Rehwinkel Vasilinda	Wood
Dorworth	Kelly	Renuart	Workman
Drake	Kiar	Rivera	Zapata
Eisnaugle	Kreegel	Robaina	
Evers	Kriseman	Roberson, K.	
Fetterman	Legg	Roberson, Y.	

Nays—None

Votes after roll call:

Yeas—Cretul, McKeel, Schwartz, Soto

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1337—A bill to be entitled An act relating to nursing; amending s. 456.014, F.S.; authorizing the disclosure of certain confidential information required of nursing license applicants to certain persons; amending s. 464.003, F.S.; providing and revising definitions; amending s. 464.008, F.S.; revising requirements for graduation from certain nursing education programs for nursing license applicants seeking to take the licensing examination; amending s. 464.015, F.S.; revising restrictions on nursing graduates who may use certain titles and abbreviations; amending s. 464.019, F.S.; revising requirements for the approval of nursing education programs by the Board of Nursing, including application requirements and procedures for the review and approval or denial of applications; revising requirements for the approval of nursing education programs meeting certain requirements before a specified date; providing for retroactive application; revising requirements for the submission of annual reports by approved programs; revising requirements for the information published on the board's Internet website; revising accountability requirements for an approved program's graduate passage rates on a certain licensing examination; revising procedures for placing programs on, and removing such programs, from probationary status; requiring termination of programs under certain circumstances; requiring certain representatives of programs that fail to submit annual reports to appear before the board; requiring the Department of Health to disclose certain confidential information about a program's graduates to the program director under certain circumstances; requiring program directors to maintain the confidentiality of such information; providing penalties for unlawful disclosure of confidential information; revising requirements for the closure of programs; revising the board's authority to adopt rules; exempting accredited programs from specified requirements; providing requirements for an accredited program that ceases

to be accredited; conforming provisions; deleting obsolete provisions; revising requirements for the Florida Center for Nursing's evaluation of the board's implementation of certain accountability provisions; providing for the performance of certain duties of the Florida Center for Nursing by the Office of Program Policy Analysis and Government Accountability under certain circumstances; conforming cross-references; amending s. 464.022, F.S.; conforming provisions; amending ss. 458.348, 459.025, 464.012, and 960.28, F.S.; conforming cross-references; providing an effective date.

—was taken up, having been temporarily postponed earlier today, and read the third time by title.

THE SPEAKER IN THE CHAIR

The question recurred on the passage of CS/CS/HB 1337. The vote was:

Session Vote Sequence: 836

Speaker Cretul in the Chair.

Yeas—113

Abruzzo	Fitzgerald	Llorente	Rogers
Adams	Flores	Long	Rouson
Adkins	Ford	Lopez-Cantera	Sachs
Ambler	Fresen	Mayfield	Sands
Anderson	Frishe	McBurney	Saunders
Aubuchon	Gaetz	Murzin	Schenck
Bembry	Galvano	Nehr	Schultz
Bogdanoff	Garcia	Nelson	Skidmore
Bovo	Gibbons	O'Toole	Snyder
Boyd	Gibson	Pafford	Soto
Brandenburg	Glorioso	Patronis	Stargel
Braynon	Gonzalez	Patterson	Steinberg
Brisé	Grady	Plakon	Taylor
Bullard	Grimsley	Planas	Thompson, N.
Burgin	Hasner	Poppell	Thurston
Bush	Hays	Porth	Tobia
Cannon	Heller	Precourt	Troutman
Carroll	Holder	Proctor	Van Zant
Chestnut	Homan	Rader	Waldman
Clarke-Reed	Hooper	Randolph	Weatherford
Cretul	Horner	Ray	Weinstein
Crisafulli	Hudson	Reagan	Williams, A.
Cruz	Hukill	Reed	Williams, T.
Domino	Jenne	Rehwinkel Vasilinda	Wood
Dorworth	Kelly	Renuart	Workman
Drake	Kiar	Rivera	Zapata
Eisnaugle	Kreegel	Robaina	
Evers	Kriseman	Roberson, K.	
Fetterman	Legg	Roberson, Y.	

Nays—None

Votes after roll call:

Yeas—Bernard, McKeel, Schwartz, Thompson, G.

So the bill passed, as amended, and was immediately certified to the Senate.

CS/HB 573—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; deleting requirements that physician assistants file evidence of certain clinical experience before prescribing or dispensing medication; authorizing the electronic submission of physician assistant license applications and other required documentation; amending ss. 458.348 and 459.025, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 837

Speaker Cretul in the Chair.

Yeas—114

Abruzzo	Fitzgerald	Legg	Rogers
Adams	Flores	Llorente	Rouson
Adkins	Ford	Long	Sachs
Ambler	Fresen	Mayfield	Sands
Anderson	Frishe	McBurney	Saunders
Aubuchon	Gaetz	Murzin	Schenck
Bembry	Galvano	Nehr	Schultz
Bogdanoff	Garcia	Nelson	Skidmore
Bovo	Gibbons	O'Toole	Snyder
Boyd	Gibson	Pafford	Soto
Brandenburg	Glorioso	Patronis	Stargel
Braynon	Gonzalez	Patterson	Steinberg
Brisé	Grady	Plakon	Taylor
Bullard	Grimsley	Planas	Thompson, G.
Burgin	Hasner	Poppell	Thompson, N.
Bush	Hays	Porth	Thurston
Cannon	Heller	Precourt	Tobia
Carroll	Holder	Proctor	Troutman
Chestnut	Homan	Rader	Van Zant
Clarke-Reed	Hooper	Randolph	Waldman
Cretul	Horner	Ray	Weatherford
Crisafulli	Hudson	Reagan	Weinstein
Cruz	Hukill	Reed	Williams, A.
Domino	Jenne	Rehwinkel Vasilinda	Williams, T.
Dorworth	Jones	Renuart	Wood
Drake	Kelly	Rivera	Workman
Eisnaugle	Kiar	Robaina	Zapata
Evers	Kreegel	Roberson, K.	
Fetterman	Kriseman	Roberson, Y.	

Nays—None

Votes after roll call:

Yeas—Bernard, Lopez-Cantera, McKeel, Schwartz

So the bill passed and was immediately certified to the Senate.

HB 1179—A bill to be entitled An act relating to electronic documents recorded in the official records; amending s. 695.27, F.S.; providing for the inclusion of an additional statute in the Uniform Real Property Electronic Recording Act; delaying termination of the Electronic Recording Advisory Committee; creating s. 695.28, F.S.; declaring that certain electronic documents accepted for recordation are deemed validly recorded; providing intent to clarify existing law; providing for retroactive application; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 838

Speaker Cretul in the Chair.

Yeas—115

Abruzzo	Dorworth	Hooper	Planas
Adams	Drake	Horner	Poppell
Adkins	Eisnaugle	Hudson	Porth
Ambler	Evers	Hukill	Precourt
Anderson	Fetterman	Jenne	Proctor
Aubuchon	Fitzgerald	Jones	Rader
Bembry	Flores	Kelly	Randolph
Bogdanoff	Ford	Kiar	Ray
Bovo	Fresen	Kreegel	Reagan
Boyd	Frishe	Kriseman	Reed
Brandenburg	Gaetz	Legg	Rehwinkel Vasilinda
Braynon	Galvano	Llorente	Renuart
Brisé	Garcia	Long	Rivera
Bullard	Gibbons	Lopez-Cantera	Robaina
Burgin	Gibson	Mayfield	Roberson, K.
Bush	Glorioso	McBurney	Roberson, Y.
Cannon	Gonzalez	Murzin	Rogers
Carroll	Grady	Nehr	Rouson
Chestnut	Grimsley	Nelson	Sachs
Clarke-Reed	Hasner	O'Toole	Sands
Cretul	Hays	Pafford	Saunders
Crisafulli	Heller	Patronis	Schenck
Cruz	Holder	Patterson	Schultz
Domino	Homan	Plakon	Skidmore

Snyder	Thompson, G.	Van Zant	Williams, T.
Soto	Thompson, N.	Waldman	Wood
Stargel	Thurston	Weatherford	Workman
Steinberg	Tobia	Weinstein	Zapata
Taylor	Troutman	Williams, A.	

Nays—None

Votes after roll call:

Yeas—Bernard, McKeel, Schwartz

So the bill passed and was immediately certified to the Senate.

CS/HB 1505—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; revising student eligibility requirements for participation in the scholarship program; authorizing students who are eligible to enter kindergarten to receive a John M. McKay Scholarship; providing eligibility requirements for a student identified with a developmental delay; authorizing students who were enrolled and reported by a school district for funding during any prior year Florida Education Finance Program surveys to receive a John M. McKay Scholarship; defining the term "owner or operator"; authorizing the Commissioner of Education to deny, suspend, or revoke a private school's participation in the scholarship program for certain acts or omissions by an owner or operator of the private school; conforming cross-references; permitting students to receive instruction and services from a private school at a site other than the physical location of the private school under specified conditions; amending s. 1002.20, F.S.; conforming provisions; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 839

Speaker Cretul in the Chair.

Yeas—115

Abruzzo	Fitzgerald	Legg	Roberson, Y.
Adams	Flores	Llorente	Rogers
Adkins	Ford	Long	Rouson
Ambler	Fresen	Lopez-Cantera	Sachs
Anderson	Frishe	Mayfield	Sands
Aubuchon	Gaetz	McBurney	Saunders
Bembry	Galvano	Murzin	Schenck
Bogdanoff	Garcia	Nehr	Schultz
Bovo	Gibbons	Nelson	Skidmore
Boyd	Gibson	O'Toole	Snyder
Brandenburg	Glorioso	Pafford	Soto
Braynon	Gonzalez	Patronis	Stargel
Brisé	Grady	Patterson	Steinberg
Bullard	Grimsley	Plakon	Taylor
Burgin	Hasner	Planas	Thompson, G.
Bush	Hays	Poppell	Thompson, N.
Cannon	Heller	Porth	Thurston
Carroll	Holder	Precourt	Tobia
Chestnut	Homan	Proctor	Troutman
Clarke-Reed	Hooper	Rader	Van Zant
Cretul	Horner	Randolph	Waldman
Crisafulli	Hudson	Ray	Weatherford
Cruz	Hukill	Reagan	Weinstein
Domino	Jenne	Reed	Williams, A.
Dorworth	Jones	Rehwinkel Vasilinda	Williams, T.
Drake	Kelly	Renuart	Wood
Eisnaugle	Kiar	Rivera	Workman
Evers	Kreegel	Robaina	Zapata
Fetterman	Kriseman	Roberson, K.	

Nays—None

Votes after roll call:

Yeas—Bernard, McKeel, Schwartz

So the bill passed and was immediately certified to the Senate.

HB 1581—A bill to be entitled An act relating to Florida Atlantic University; authorizing a doctor of medicine degree program at Florida Atlantic University; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 840

Speaker Cretul in the Chair.

Yeas—114

Abruzzo	Fitzgerald	Legg	Rouson
Adams	Flores	Llorente	Sachs
Adkins	Ford	Long	Sands
Ambler	Fresen	Lopez-Cantera	Saunders
Anderson	Frishe	Mayfield	Schenck
Aubuchon	Gaetz	McBurney	Schultz
Bembry	Galvano	Nehr	Schwartz
Bogdanoff	Garcia	Nelson	Skidmore
Bovo	Gibbons	O'Toole	Snyder
Boyd	Gibson	Pafford	Soto
Brandenburg	Glorioso	Patronis	Stargel
Braynon	Gonzalez	Patterson	Steinberg
Brisé	Grady	Plakon	Taylor
Bullard	Grimsley	Planas	Thompson, G.
Burgin	Hasner	Poppell	Thompson, N.
Bush	Hays	Porth	Thurston
Cannon	Heller	Precourt	Tobia
Carroll	Holder	Proctor	Troutman
Chestnut	Homan	Rader	Van Zant
Clarke-Reed	Hooper	Randolph	Waldman
Cretul	Horner	Ray	Weatherford
Crisafulli	Hudson	Reagan	Weinstein
Cruz	Hukill	Reed	Williams, A.
Domino	Jenne	Rehwinkel Vasilinda	Williams, T.
Dorworth	Jones	Renuart	Wood
Drake	Kelly	Rivera	Workman
Eisnaugle	Kiar	Robaina	Zapata
Evers	Kreegel	Roberson, K.	
Fetterman	Kriseman	Rogers	

Nays—None

Votes after roll call:

Yeas—Bernard, McKeel, Murzin

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 885—A bill to be entitled An act relating to life insurance; creating s. 627.4605, F.S.; specifying nonapplication of a required notice to a current insurer of a policy replacement under certain circumstances; amending s. 627.464, F.S.; providing a limitation on the resale of certain annuities to third parties; amending s. 627.552, F.S.; prohibiting the creating or permitting of certain classes of employees for group health insurance policy purposes; preserving an employer's authority to require certain plan participation as a condition of employment; amending s. 627.5575, F.S.; revising the limitation on the amount of insurance for spouses of dependent children of employees of members under a group life insurance policy; providing an effective date.

—was read the third time by title.

Representative Tobia offered the following:

(Amendment Bar Code: 160077)

Amendment 1 (with title amendment)—Between lines 18 and 19, insert: Section 1. Paragraph (k) of subsection (3) of section 626.2815, Florida Statutes, is amended to read:

626.2815 Continuing education required; application; exceptions; requirements; penalties.—

(3)

(k)1. Any person who holds a license to solicit or sell life insurance in this state must complete a minimum of 3 hours in continuing education, approved by the department, on the subject of suitability in annuity and life insurance transactions. A licensee may use the hours obtained under this subparagraph paragraph to satisfy the requirement for continuing education in ethics under paragraph (a).

2. An agent who has not sold individual life insurance policies or annuity contracts during the continuing education compliance cycle in question and does not have any active individual life insurance policies or annuity contracts is exempt from the requirements of subparagraph 1. In order to apply the exemption, the department may require the filing of a certification attesting that the agent has not sold individual life insurance policies or annuity contracts during the continuing education compliance cycle in question and does not have any active individual life insurance policies or annuity contracts.

TITLE AMENDMENT

Remove line 2 and insert:

An act relating to life insurance; amending s. 626.2815, F.S.; exempting certain life insurance agents from certain continuing education requirements under certain circumstances; providing an attestation requirement; creating s. 627.4605,

Rep. Tobia moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of CS/CS/HB 885. The vote was:

Session Vote Sequence: 841

Speaker Cretul in the Chair.

Yeas—114

Abruzzo	Fitzgerald	Legg	Rouson
Adams	Flores	Llorente	Sachs
Adkins	Ford	Long	Sands
Amblar	Fresen	Lopez-Cantera	Saunders
Anderson	Frishe	Mayfield	Schenck
Aubuchon	Gaetz	McBurney	Schultz
Bembry	Galvano	Murzin	Schwartz
Bogdanoff	Garcia	Nehr	Skidmore
Bovo	Gibbons	Nelson	Snyder
Boyd	Gibson	O'Toole	Soto
Brandenburg	Glorioso	Pafford	Stargel
Braynon	Gonzalez	Patronis	Steinberg
Brisé	Grady	Patterson	Taylor
Bullard	Grimsley	Plakon	Thompson, G.
Burgin	Hasner	Planas	Thompson, N.
Bush	Hays	Poppell	Thurston
Cannon	Heller	Porth	Tobia
Carroll	Holder	Precourt	Troutman
Chestnut	Homan	Proctor	Van Zant
Clarke-Reed	Hooper	Rader	Waldman
Cretul	Horner	Randolph	Weatherford
Crisafulli	Hudson	Ray	Weinstein
Cruz	Hukill	Reagan	Williams, A.
Domino	Jenne	Rehwinkel Vasilinda	Williams, T.
Dorworth	Jones	Renuart	Wood
Drake	Kelly	Rivera	Workman
Eisnaugle	Kiar	Robaina	Zapata
Evers	Kreegel	Roberson, K.	
Fetterman	Kriseman	Roberson, Y.	

Nays—None

Votes after roll call:

Yeas—Bernard, McKeel, Reed, Rogers

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

CS/HB 1253 was temporarily postponed.

CS/HB 1253—A bill to be entitled An act relating to continuing care facilities; amending s. 651.011, F.S.; revising definitions relating to ch. 651, F.S.; amending s. 651.012, F.S.; conforming cross-references; amending s. 651.022, F.S.; increasing the threshold amount for businesses that must be identified in an application for a provisional certificate of authority; adding wait-list contracts to the forms that must be submitted with the application; amending s. 651.0235, F.S.; conforming provisions to changes made by the act; amending s. 651.026, F.S.; revising the financial information that must be submitted annually for each certified facility; requiring the annual report to reflect any changes in accounting principle terminology; amending s. 651.033, F.S.; authorizing a provider to assess a separate, nonrefundable fee for processing an application for continuing care; amending s. 651.035, F.S.; clarifying that the amounts maintained in escrow relating to taxes refer to property taxes; deleting an obsolete provision; amending s. 651.055, F.S.; providing that a resident is deemed to be occupying a unit upon the payment of certain fees; providing a timeframe for rescinding a contract; increasing the application processing fee; conforming provisions to changes made by the act; amending s. 651.081, F.S.; renaming residents' organizations as residents' councils; requiring the provider to provide a newly elected chair of a council with a copy of ch. 651, F.S., and related rules; amending s. 651.083, F.S.; clarifying that a resident has a right to receive residents' council memos and announcements; prohibiting a provider from restricting a resident's access to the council; amending s. 651.085, F.S.; requiring the provider to provide the reasons for increasing the maintenance fee to the chair of the residents' council; allowing a designated representative to represent the provider at meetings; amending s. 651.091, F.S.; specifying that a management company or operator is an agent of the provider for the purposes of disclosing certain information to residents; expanding the list of items that must be provided to the chair of the residents' council; requiring the provider to provide a copy of s. 651.071, F.S., relating to receivership or liquidation, to all prospective residents; amending s. 651.105, F.S.; increasing the amount of time that the Office of Insurance Regulation has to inspect a facility; requiring the office to determine if all disclosures have been made to the chair of the residents' council; amending ss. 651.114 and 651.1151, F.S.; conforming provisions to changes made by the act; amending s. 651.121, F.S.; conforming provisions to changes made by the act; requiring the chair of the Continuing Care Advisory Council to report the council's findings and recommendations to the Governor and the Commissioner of Insurance Regulation; requiring the office to provide certain information to the council; repealing s. 651.133, F.S., relating to provisional certificates under prior law; amending s. 628.4615, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

Representative Proctor offered the following:

(Amendment Bar Code: 279849)

Amendment 1 (with title amendment)—Remove lines 855-860 and insert:

every 3 years, examine the business of any applicant for a certificate of authority and any provider engaged in the execution of care contracts or engaged in the performance of obligations under such contracts, in the same manner as is provided for the examination of insurance companies pursuant to s. 624.316. For a provider as defined in s. 651.028, such examinations shall take place at least once every 5 years. Such examinations shall be made by a representative

TITLE AMENDMENT

Remove lines 44-45 and insert:

increasing the required time period for examinations for certain providers; requiring the office

Rep. Proctor moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of CS/HB 1253. The vote was:

Session Vote Sequence: 842

Speaker Cretul in the Chair.

Yeas—114

Abruzzo	Flores	Llorente	Rouson
Adams	Ford	Long	Sachs
Adkins	Fresen	Lopez-Cantera	Sands
Ambler	Frishe	Mayfield	Saunders
Anderson	Gaetz	McBurney	Schenck
Aubuchon	Galvano	Murzin	Schultz
Bembry	Garcia	Nehr	Schwartz
Bogdanoff	Gibbons	Nelson	Skidmore
Bovo	Gibson	O'Toole	Snyder
Boyd	Glorioso	Pafford	Soto
Brandenburg	Gonzalez	Patronis	Stargel
Braynon	Grady	Patterson	Steinberg
Brisé	Grimsley	Plakon	Taylor
Bullard	Hasner	Planas	Thompson, G.
Burgin	Hays	Poppell	Thompson, N.
Bush	Heller	Porth	Thurston
Cannon	Holder	Precourt	Tobia
Carroll	Homan	Proctor	Troutman
Chestnut	Hooper	Rader	Van Zant
Clarke-Reed	Horner	Randolph	Waldman
Cretul	Hudson	Ray	Weatherford
Crisafulli	Hukill	Reagan	Weinstein
Cruz	Jenne	Reed	Williams, A.
Dorworth	Jones	Rehwinkel Vasilinda	Williams, T.
Drake	Kelly	Renuart	Wood
Eisnaugle	Kiar	Robaina	Workman
Evers	Kreegel	Roberson, K.	Zapata
Fetterman	Kriseman	Roberson, Y.	
Fitzgerald	Legg	Rogers	

Nays—None

Votes after roll call:

Yeas—Bernard, McKeel

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

Moment of Silence

At the request of Rep. Robaina, the House observed a moment of silence in memory of Joey Mosca of Homestead, a child who died of brain cancer on March 3, 2010.

CS/CS/HB 447 was temporarily postponed.

HB 661—A bill to be entitled An act relating to minimum surplus requirements for mortgage guaranty insurers; amending s. 635.042, F.S.; authorizing the Commissioner of Insurance Regulation to permit a temporary exception to certain requirements under certain circumstances; revising authority of the Office of Insurance Regulation to take action against a noncomplying insurer under certain circumstances; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 843

Speaker Cretul in the Chair.

Yeas—113

Abruzzo	Adams	Adkins	Ambler
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Anderson	Frishe	Mayfield	Sands
Aubuchon	Gaetz	McBurney	Saunders
Bembry	Galvano	Murzin	Schenck
Bogdanoff	Garcia	Nelson	Schultz
Bovo	Gibbons	O'Toole	Schwartz
Boyd	Gibson	Pafford	Skidmore
Brandenburg	Glorioso	Patronis	Snyder
Braynon	Gonzalez	Patterson	Soto
Brisé	Grimsley	Plakon	Stargel
Bullard	Hasner	Planas	Steinberg
Burgin	Hays	Poppell	Taylor
Bush	Heller	Porth	Thompson, G.
Cannon	Holder	Precourt	Thompson, N.
Carroll	Homan	Proctor	Thurston
Chestnut	Hooper	Rader	Tobia
Clarke-Reed	Horner	Randolph	Troutman
Cretul	Hudson	Ray	Van Zant
Crisafulli	Hukill	Reagan	Waldman
Cruz	Jenne	Reed	Weatherford
Dorworth	Jones	Rehwinkel Vasilinda	Weinstein
Drake	Kelly	Renuart	Williams, A.
Eisnaugle	Kiar	Rivera	Williams, T.
Evers	Kreegel	Robaina	Wood
Fetterman	Kriseman	Roberson, K.	Workman
Fitzgerald	Legg	Roberson, Y.	Zapata
	Llorente	Rogers	
	Long	Rouson	
	Lopez-Cantera	Sachs	

Nays—None

Votes after roll call:

Yeas—Bernard, McKeel, Nehr

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 787—A bill to be entitled An act relating to child abduction prevention; providing a short title; amending s. 61.45, F.S.; authorizing additional persons to move to have certain restrictions placed in parenting plans upon showing of a risk that one party may violate the court's parenting plan by removing a child from this state or country or by concealing the child's whereabouts; authorizing courts to impose certain restrictions in parenting plans upon a specified finding; authorizing a court to impose certain restrictions in addition to or in lieu of a requirement that a child's passport be surrendered; authorizing a court to impose specified restrictions upon entry of an order to prevent removal of a child from this state or country; providing additional factors that may be considered in assessing the risk that a party may violate a parenting plan by removing a child from this state or country or by concealing the child's whereabouts; providing that violations may subject a violator to specified penalties or other consequences; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 844

Speaker Cretul in the Chair.

Yeas—115

Abruzzo	Bush	Ford	Holder
Adams	Cannon	Fresen	Homan
Adkins	Carroll	Frishe	Hooper
Ambler	Chestnut	Gaetz	Horner
Anderson	Clarke-Reed	Galvano	Hudson
Aubuchon	Cretul	Garcia	Hukill
Bembry	Crisafulli	Gibbons	Jenne
Bogdanoff	Cruz	Gibson	Jones
Bovo	Dorworth	Glorioso	Kelly
Boyd	Drake	Gonzalez	Kiar
Brandenburg	Eisnaugle	Grady	Kreegel
Braynon	Evers	Grimsley	Kriseman
Brisé	Fetterman	Hasner	Legg
Bullard	Fitzgerald	Hays	Llorente
Burgin	Flores	Heller	Long

Lopez-Cantera	Precourt	Rouson	Thompson, N.
Mayfield	Proctor	Sachs	Thurston
McBurney	Rader	Sands	Tobia
Murzin	Randolph	Saunders	Troutman
Nehr	Ray	Schenck	Van Zant
Nelson	Reagan	Schultz	Waldman
O'Toole	Reed	Schwartz	Weatherford
Pafford	Rehwinkel Vasilinda	Skidmore	Weinstein
Patronis	Renuart	Snyder	Williams, A.
Patterson	Rivera	Soto	Williams, T.
Plakon	Robaina	Stargel	Wood
Planas	Roberson, K.	Steinberg	Workman
Poppell	Roberson, Y.	Taylor	Zapata
Porth	Rogers	Thompson, G.	

Nays—None

Votes after roll call:

Yeas—Bernard, McKeel

So the bill passed and was immediately certified to the Senate.

CS/HB 765—A bill to be entitled An act relating to animal protection; providing a short title; amending s. 474.203, F.S.; revising a veterinary licensure exemption pertaining to certain persons practicing temporarily in the state; providing circumstances that render inapplicable a veterinary licensure exemption pertaining to part-time and independent contractors; amending s. 500.451, F.S.; prohibiting specified acts relating to horsemeat for human consumption; providing penalties; increasing the classification of offenses related to horsemeat for human consumption; providing for suspension of licenses of certain businesses for offenses related to horsemeat; providing mandatory minimum penalties; amending s. 828.073, F.S.; revising procedures for law enforcement officers and certain animal cruelty prevention agents to file petitions in custody proceedings involving neglected animals; exempting animal owners from payment of the care provided for their animals during such proceedings under certain circumstances; revising the period within which written notice of such proceedings must be served; deleting a provision requiring publication of notices of such proceedings under certain circumstances; revising provisions relating to remand of neglected animals directly to the seizing officer or agent for disposition; amending s. 828.125, F.S.; revising provisions prohibiting certain acts relating to horses to apply to all horses regardless of breed; providing mandatory minimum penalties for violations involving horses or certain cattle; creating s. 828.28, F.S.; requiring local governments to provide notice prior to licensing deadlines; encouraging local governments to develop online licensing systems; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 845

Speaker Cretul in the Chair.

Yeas—114

Abruzzo	Carroll	Galvano	Jenne
Adams	Chestnut	Garcia	Jones
Adkins	Clarke-Reed	Gibbons	Kelly
Ambler	Cretul	Gibson	Kiar
Anderson	Crisafulli	Glorioso	Kreegel
Aubuchon	Cruz	Gonzalez	Kriseman
Bembry	Dorworth	Grady	Legg
Bogdanoff	Drake	Grimsley	Llorente
Bovo	Eisnaugle	Hasner	Long
Boyd	Evers	Hays	Lopez-Cantera
Brandenburg	Fetterman	Heller	Mayfield
Braynon	Fitzgerald	Holder	McBurney
Brisé	Flores	Homan	Murzin
Bullard	Ford	Hooper	Nehr
Burgin	Fresen	Horner	Nelson
Bush	Frishe	Hudson	O'Toole
Cannon	Gaetz	Hukill	Patronis

Patterson	Rehwinkel Vasilinda	Schultz	Troutman
Plakon	Renuart	Schwartz	Van Zant
Planas	Rivera	Skidmore	Waldman
Poppell	Robaina	Snyder	Weatherford
Porth	Roberson, K.	Soto	Weinstein
Precourt	Roberson, Y.	Stargel	Williams, A.
Proctor	Rogers	Steinberg	Williams, T.
Rader	Rouson	Taylor	Wood
Randolph	Sachs	Thompson, G.	Workman
Ray	Sands	Thompson, N.	Zapata
Reagan	Saunders	Thurston	
Reed	Schenck	Tobia	

Nays—None

Votes after roll call:

Yeas—Bernard, McKeel, Pafford

So the bill passed, as amended, and was immediately certified to the Senate.

HB 923—A bill to be entitled An act relating to homelessness; amending ss. 320.02, 322.08, and 322.18, F.S.; requiring the motor vehicle registration form and registration renewal form, the driver license application form, and the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to aid the homeless; providing for such contributions to be deposited into the Grants and Donations Trust Fund of the Department of Children and Family Services and used by the State Office on Homelessness for certain purposes; providing that voluntary contributions for the homeless are not income of a revenue nature for the purpose of applying certain service charges; creating s. 414.161, F.S.; establishing a homelessness prevention grant program; requiring grant applicants to be ranked competitively; providing preference for certain grant applicants; providing eligibility requirements; providing grant limitations and restrictions; requiring lead agencies for local homeless assistance continuums of care to track, monitor, and report on assisted families for a specified period of time; amending s. 420.622, F.S.; limiting the percentage of funding that lead agencies may spend on administrative costs; amending s. 420.625, F.S.; deleting a cross-reference to conform; amending s. 420.6275, F.S.; revising legislative findings relating to the Housing First approach to homelessness; repealing s. 414.16, F.S., relating to the emergency assistance program for families with children that have lost shelter or face loss of shelter due to an emergency; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 846

Speaker Cretul in the Chair.

Yeas—114

Abruzzo	Clarke-Reed	Grady	Lopez-Cantera
Adams	Cretul	Grimsley	Mayfield
Adkins	Crisafulli	Hasner	McBurney
Ambler	Cruz	Hays	Murzin
Anderson	Dorworth	Heller	Nehr
Aubuchon	Drake	Holder	Nelson
Bembry	Eisnaugle	Homan	Pafford
Bernard	Evers	Hooper	Patronis
Bogdanoff	Fitzgerald	Horner	Patterson
Bovo	Flores	Hudson	Plakon
Boyd	Ford	Hukill	Planas
Brandenburg	Fresen	Jenne	Poppell
Braynon	Frishe	Jones	Porth
Brisé	Gaetz	Kelly	Precourt
Bullard	Galvano	Kiar	Proctor
Burgin	Garcia	Kreegel	Rader
Bush	Gibbons	Kriseman	Randolph
Cannon	Gibson	Legg	Ray
Carroll	Glorioso	Llorente	Reagan
Chestnut	Gonzalez	Long	Reed

Rehwinkel Vasilinda	Sands	Steinberg	Weatherford
Renuart	Saunders	Taylor	Weinstein
Rivera	Schenck	Thompson, G.	Williams, A.
Robaina	Schultz	Thompson, N.	Williams, T.
Roberson, K.	Schwartz	Thurston	Wood
Roberson, Y.	Skidmore	Tobia	Workman
Rogers	Snyder	Troutman	Zapata
Rouson	Soto	Van Zant	
Sachs	Stargel	Waldman	

Nays—None

Votes after roll call:

Yeas—Fetterman, McKeel, O'Toole

So the bill passed, as amended, and was immediately certified to the Senate.

CS/HB 1233—A bill to be entitled An act relating to educational plant surveys; amending s. 1013.31, F.S.; authorizing an extension to a school district educational plant survey submission deadline; providing restrictions; providing requirements for the submission of a request for an extension to the Department of Education and requiring department approval; providing restrictions on school district construction during the extension period; requiring the State Board of Education to adopt rules; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 847

Speaker Cretul in the Chair.

Yeas—115

Abruzzo	Fitzgerald	Legg	Rogers
Adams	Flores	Llorente	Rouson
Adkins	Ford	Long	Sachs
Ambler	Fresen	Lopez-Cantera	Sands
Anderson	Frishe	Mayfield	Saunders
Aubuchon	Gaetz	McBurney	Schenck
Bembry	Galvano	Murzin	Schultz
Bernard	Garcia	Nehr	Schwartz
Bogdanoff	Gibbons	Nelson	Skidmore
Bovo	Gibson	O'Toole	Snyder
Boyd	Glorioso	Pafford	Soto
Brandenburg	Gonzalez	Patronis	Stargel
Braynon	Grady	Patterson	Steinberg
Brisé	Grimsley	Plakon	Taylor
Bullard	Hasner	Planas	Thompson, G.
Burgin	Hays	Poppell	Thompson, N.
Bush	Heller	Porth	Thurston
Cannon	Holder	Precourt	Tobia
Carroll	Homan	Proctor	Troutman
Chestnut	Hooper	Rader	Van Zant
Clarke-Reed	Horner	Randolph	Waldman
Cretul	Hudson	Ray	Weatherford
Crisafulli	Hukill	Reagan	Weinstein
Cruz	Jenne	Reed	Williams, A.
Dorworth	Jones	Renuart	Williams, T.
Drake	Kelly	Rivera	Wood
Eisnaugle	Kiar	Robaina	Workman
Evers	Kreegel	Roberson, K.	Zapata
Fetterman	Kriseman	Roberson, Y.	

Nays—None

Votes after roll call:

Yeas—McKeel, Rehwinkel Vasilinda

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1005—A bill to be entitled An act relating to corrections; amending s. 384.34, F.S.; revising criminal penalties pertaining to sexually

transmissible diseases; amending s. 775.0877, F.S.; removing a provision authorizing a court to require an offender convicted of criminal transmission of HIV to serve a term of criminal quarantine community control; amending s. 796.08, F.S., relating to criminal transmission of HIV; conforming a cross-reference; creating s. 800.09, F.S.; defining terms; providing that a person who is detained in a state or private correctional facility may not commit lewd or lascivious exhibition in the presence of an employee who the detainee knows or reasonably should know is an employee; providing criminal penalties; amending s. 921.187, F.S.; removing a reference to criminal quarantine community control to conform to changes made by the act; amending s. 940.061, F.S.; requiring that the Department of Corrections send to the Parole Commission by electronic means a monthly list of the names of inmates released from incarceration and offenders terminated from supervision who may be eligible for restoration of civil rights; repealing s. 944.293, F.S., relating to initiation of the restoration of an inmate's civil rights; amending s. 944.35, F.S.; including employees of private correctional facilities within a statute prohibiting employees from committing certain sexual misconduct with inmates; providing criminal penalties; amending s. 944.605, F.S.; authorizing the Department of Corrections to electronically submit certain information to the sheriff of the county in which the inmate plans to reside and to the chief of police of the municipality where the inmate plans to reside; amending ss. 944.804 and 944.8041, F.S.; requiring the department to establish and operate certain geriatric facilities or dorms at prison institutions; removing provisions requiring the operation of a specified facility; amending s. 945.41, F.S.; deleting a prohibition against the placement of youthful offenders at certain institutions for mental health treatment; amending s. 945.42, F.S.; deleting references to an inmate's refusal of voluntary placement for purposes of determining the inmate's need for care and treatment; amending s. 945.43, F.S.; clarifying that an inmate is placed in, rather than admitted to, a mental health treatment facility; requiring that a petition for placement be filed in the county in which an inmate is located; authorizing the department to transport the inmate to the location of the hearing on such a placement under certain circumstances; amending s. 945.46, F.S.; providing procedures for the transport of inmates who are mentally ill and who are scheduled to be released from confinement; creating s. 946.42, F.S.; authorizing the department to use inmate labor on private property under certain circumstances; defining terms; repealing s. 948.001(3), F.S., relating to the definition of the term "criminal quarantine community control," to conform to changes made by the act; amending s. 948.03, F.S.; providing additional conditions of probation to be applied to a defendant; deleting certain requirements for possession of a weapon other than a firearm; requiring that a digitized photograph of an offender be part of the offender's record; authorizing the department to display such photographs on its website for a specified period; providing exceptions; amending s. 948.09, F.S.; conforming a cross-reference; amending ss. 948.101 and 948.11, F.S.; deleting provisions related to criminal quarantine community control; amending s. 951.26, F.S.; authorizing each local public safety coordinating council to develop a comprehensive local reentry plan for offenders reentering the community; providing plan requirements; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 848

Speaker Cretul in the Chair.

Yeas—116

Abruzzo	Bovo	Carroll	Evers
Adams	Boyd	Chestnut	Fetterman
Adkins	Brandenburg	Clarke-Reed	Fitzgerald
Ambler	Braynon	Cretul	Flores
Anderson	Brisé	Crisafulli	Ford
Aubuchon	Bullard	Cruz	Fresen
Bembry	Burgin	Dorworth	Frishe
Bernard	Bush	Drake	Gaetz
Bogdanoff	Cannon	Eisnaugle	Galvano

Garcia	Kreegel	Proctor	Skidmore
Gibbons	Kriseman	Rader	Snyder
Gibson	Legg	Randolph	Soto
Glorioso	Llorente	Ray	Stargel
Gonzalez	Long	Reagan	Steinberg
Grady	Lopez-Cantera	Reed	Taylor
Grimsley	Mayfield	Rehwinkel Vasilinda	Thompson, G.
Hasner	McBurney	Renuart	Thompson, N.
Hays	Murzin	Rivera	Thurston
Heller	Nehr	Robaina	Tobia
Holder	Nelson	Roberson, K.	Troutman
Homan	O'Toole	Roberson, Y.	Van Zant
Hooper	Pafford	Rogers	Waldman
Horner	Patronis	Rouson	Weatherford
Hudson	Patterson	Sachs	Weinstein
Hukill	Plakon	Sands	Williams, A.
Jenne	Planas	Saunders	Williams, T.
Jones	Poppell	Schenck	Wood
Kelly	Porth	Schultz	Workman
Kiar	Precourt	Schwartz	Zapata

Nays—None

Votes after roll call:

Yeas—McKeel

So the bill passed, as amended, and was immediately certified to the Senate.

CS/HB 951—A bill to be entitled An act relating to public safety; amending s. 790.065, F.S.; requiring certain reports to be submitted in an automated format; deleting provisions relating to automatic deletion of mental health records under specified conditions from the Department of Law Enforcement's database of such records kept for purposes of sale and delivery of firearms and substituting a procedure for petition to obtain judicial relief from firearm disabilities and, upon obtaining such relief, the removal of the individual mental health records from the department's database; amending s. 943.05, F.S.; revising provisions relating to the Criminal Justice Information Program under the Department of Law Enforcement; authorizing agencies to request the retention of certain fingerprints by the department; providing for rulemaking to require employers to keep the agencies informed of any change in the affiliation, employment, or contractual status of each person whose fingerprints are retained in certain circumstances; providing departmental duties upon notification that a federal fingerprint retention program is in effect; amending s. 943.053, F.S.; removing obsolete references relating to the dissemination of criminal justice information; amending s. 943.12, F.S.; requiring the Criminal Justice Standards and Training Commission to adopt rules relating to the maintenance of officers who engage in those specialized areas found to present a high risk of harm to the officer or the public at large; requiring the commission to adopt rules requiring the demonstration of proficiency in firearms for all law enforcement officers; amending s. 943.131, F.S.; revising provisions relating to exemptions from completing a commission-approved basic recruit training program; amending s. 943.1395, F.S.; revising provisions relating to qualifications for certified law enforcement officers separated from employment for more than a certain period of time; amending s. 943.17, F.S.; deleting a requirement that correctional probation officers pass a specified basic skills examination and assessment instrument before entrance into the basic recruit training program; amending s. 943.32, F.S.; deleting state funding eligibility for a locally funded crime laboratory in Monroe County; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 849

Speaker Cretul in the Chair.

Yeas—114

Abruzzo	Adams	Adkins	Ambler
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Anderson	Frishe	Lopez-Cantera	Sachs
Aubuchon	Gaetz	Mayfield	Sands
Bembry	Galvano	McBurney	Saunders
Bernard	Garcia	Murzin	Schenck
Bogdanoff	Gibbons	Nehr	Schultz
Bovo	Gibson	Nelson	Schwartz
Boyd	Glorioso	O'Toole	Skidmore
Brandenburg	Gonzalez	Pafford	Snyder
Braynon	Grady	Patronis	Soto
Brisé	Grimsley	Patterson	Stargel
Bullard	Hasner	Plakon	Steinberg
Burgin	Hays	Planas	Taylor
Bush	Heller	Poppell	Thompson, G.
Cannon	Holder	Porth	Thompson, N.
Carroll	Homan	Precourt	Thurston
Chestnut	Hooper	Proctor	Tobia
Clarke-Reed	Horner	Rader	Troutman
Cretul	Hudson	Randolph	Van Zant
Crisafulli	Hukill	Ray	Waldman
Cruz	Jenne	Reagan	Weatherford
Drake	Jones	Reed	Weinstein
Eisnaugle	Kelly	Rehwinkel Vasilinda	Williams, A.
Evers	Kiar	Renuart	Williams, T.
Fetterman	Kreegel	Rivera	Wood
Fitzgerald	Kriseman	Robaina	Workman
Flores	Legg	Roberson, K.	Zapata
Ford	Llorente	Roberson, Y.	
Fresen	Long	Rogers	

Nays—None

Votes after roll call:

Yeas—McKeel

So the bill passed and was immediately certified to the Senate.

HB 7219—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2010 version of the Internal Revenue Code; providing for retroactive operation; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 850

Speaker Cretul in the Chair.

Yeas—115

Abruzzo	Flores	Llorente	Rogers
Adams	Ford	Long	Rouson
Adkins	Fresen	Lopez-Cantera	Sachs
Ambler	Frishe	Mayfield	Sands
Anderson	Gaetz	McBurney	Saunders
Aubuchon	Galvano	Murzin	Schenck
Bembry	Garcia	Nehr	Schultz
Bernard	Gibbons	Nelson	Schwartz
Bogdanoff	Gibson	O'Toole	Skidmore
Bovo	Glorioso	Pafford	Snyder
Boyd	Gonzalez	Patronis	Soto
Brandenburg	Grady	Patterson	Stargel
Braynon	Grimsley	Plakon	Steinberg
Brisé	Hasner	Planas	Taylor
Bullard	Hays	Poppell	Thompson, G.
Burgin	Heller	Porth	Thompson, N.
Bush	Holder	Precourt	Thurston
Cannon	Homan	Proctor	Tobia
Carroll	Hooper	Rader	Troutman
Chestnut	Horner	Randolph	Van Zant
Clarke-Reed	Hudson	Ray	Waldman
Crisafulli	Hukill	Reagan	Weatherford
Cruz	Jenne	Reed	Weinstein
Dorworth	Jones	Rehwinkel Vasilinda	Williams, A.
Drake	Kelly	Renuart	Williams, T.
Eisnaugle	Kiar	Rivera	Wood
Evers	Kreegel	Robaina	Workman
Fetterman	Kriseman	Roberson, K.	Zapata
Fitzgerald	Legg	Roberson, Y.	

Nays—None

Votes after roll call:

Yeas—Cretul, McKeel

So the bill passed and was immediately certified to the Senate.

Special Orders

CS/HB 7129—A bill to be entitled An act relating to military support; amending s. 163.3175, F.S.; providing applicability of provisions governing compatibility of land development with military installations under the Local Government Comprehensive Planning and Land Development Regulation Act to specified local governments and associated military installations; authorizing the Florida Council on Military Base and Mission Support to recommend changes to such military installations and local governments based on a base's potential for impacts from encroachment and incompatible land uses and development; requiring affected local governments to transmit to the commanding officer of a military installation information relating to certain proposed changes to comprehensive plans, plan amendments, and proposed changes to land development regulations; requiring local governments to transmit, at the request of a commanding officer, copies of applications for development orders requesting specified variances or waivers within a zone of influence of a military installation; requiring a local government, military installation, the state land planning agency, and other parties to enter into mediation if a local government does not adopt criteria and address compatibility issues relating to lands adjacent to or closely proximate to existing military installations in its future land use plan element of a comprehensive plan by a specified date; authorizing notification of the Administration Commission if the local government comprehensive plan does not contain criteria addressing compatibility by a specified date; authorizing the imposition of sanctions by the Administration Commission; eliminating definitions; amending s. 163.3177, F.S.; specifying factors on which criteria used to achieve compatibility of lands adjacent to military installations in a future land use plan element of a comprehensive plan are to be based; amending s. 196.061, F.S.; providing that valid military orders transferring a military servicemember are sufficient to maintain permanent residence status of the servicemember and his or her spouse for purposes of such determination by a property appraiser; amending s. 455.02, F.S.; authorizing temporary professional licensure by the Department of Business and Professional Regulation of the spouses of certain active duty members of the Armed Forces; providing application requirements; requiring criminal history checks and fees; amending s. 250.10, F.S.; authorizing the Adjutant General to employ a second Assistant Adjutant General for Army; revising accreditation standards for educational institutions with respect to the Educational Dollars for Duty education assistance program; providing an effective date.

—was read the second time by title.

Representative Hukill offered the following:

(Amendment Bar Code: 094859)

Amendment 1—Remove lines 97-98 and insert:

(g) Naval Air Station Jacksonville, Marine Corps Support Facility-Blount Island, and outlying landing field Whitehouse,

Rep. Hukill moved the adoption of the amendment, which was adopted.

Representative Hukill offered the following:

(Amendment Bar Code: 826393)

Amendment 2—Remove line 171 and insert:

through programs such as those of the federal Office of Economic Adjustment as an

Rep. Hukill moved the adoption of the amendment, which was adopted.

Representative Hukill offered the following:

(Amendment Bar Code: 039303)

Amendment 3 (with title amendment)—Remove line 244 and insert: to military installations, considering factors identified in s.

TITLE AMENDMENT

Remove lines 33-36 and insert:

amending s. 163.3177, F.S.; specifying factors to be considered with respect to criteria used to achieve compatibility of lands adjacent to military installations in a future land use plan element of a comprehensive plan; amending

Rep. Hukill moved the adoption of the amendment, which was adopted.

Rep. Ambler moved that a late-filed amendment be allowed for consideration. Subsequently, the amendment was withdrawn.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 129 was taken up. On motion by Rep. Renuart, the House agreed to substitute CS for SB 464 for CS/HB 129 and read CS for SB 464 the second time by title. Under Rule 5.13, the House bill was laid on the table.

CS for SB 464—A bill to be entitled An act relating to military affairs; amending s. 115.07, F.S., relating to provisions authorizing leave of absence for officers and employees of the state or counties, municipalities, or political subdivisions who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or who are members of the National Guard; providing that such officers and employees are entitled to 240 working hours rather than 17 working days of annual leave of absence without loss of time or efficiency rating; removing an obsolete provision calculating leaves of absence as measured in working days; amending s. 250.10, F.S.; providing for the appointment of a second Assistant Adjutant General for the Florida National Guard Army; providing a finding that the act fulfills an important state interest; providing an effective date.

—was read the second time by title. On motion by Rep. Renuart, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 851

Speaker Cretul in the Chair.

Yeas—106

Abruzzo	Chestnut	Grady	Lopez-Cantera
Adams	Cretul	Grimsley	Mayfield
Adkins	Crisafulli	Hasner	McBurney
Ambler	Cruz	Hays	Nehr
Anderson	Dorworth	Heller	Nelson
Aubuchon	Drake	Holder	O'Toole
Bembry	Eisnaugle	Homan	Pafford
Bernard	Evers	Hooper	Patronis
Bogdanoff	Fetterman	Horner	Patterson
Bovo	Ford	Hudson	Plakon
Boyd	Frishe	Hukill	Planas
Brandenburg	Gaetz	Jenne	Poppell
Braynon	Galvano	Jones	Porth
Brisé	Garcia	Kelly	Precourt
Burgin	Gibbons	Kreegel	Proctor
Bush	Gibson	Kriseman	Rader
Cannon	Glorioso	Llorente	Randolph
Carroll	Gonzalez	Long	Ray

Reagan	Rouson	Soto	Waldman
Reed	Sachs	Steinberg	Weatherford
Rehwinkel Vasilinda	Sands	Taylor	Weinstein
Renuart	Saunders	Thompson, G.	Williams, A.
Rivera	Schenck	Thompson, N.	Williams, T.
Robaina	Schultz	Thurston	Wood
Roberson, K.	Schwartz	Tobia	Workman
Roberson, Y.	Skidmore	Troutman	
Rogers	Snyder	Van Zant	

Nays—None

Votes after roll call:

Yeas—Bullard, Fitzgerald, Kiar, McKeel, Murzin, Stargel

Nays—Zapata

Explanation of Vote for Sequence Number 851

Was excused for conference mtg.

*Rep. Kelli Stargel
District 64*

So the bill passed and was immediately certified to the Senate.

HB 521—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; repealing s. 5 of ch. 2008-225, Laws of Florida; abrogating the future repeal of ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S., relating to the compact; amending s. 1000.36, F.S.; deleting provisions relating to the disclosure of information and records and the closure of meetings by the Interstate Commission on Educational Opportunity for Military Children; providing for future legislative review and repeal of the compact; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1003—A bill to be entitled An act relating to veterans; amending s. 496.406, F.S.; exempting certain veterans' organizations from requirements to file registration statements with the Department of Agriculture and Consumer Services; amending s. 295.187, F.S.; revising the definition of the term "service-disabled veteran" for purposes of the Florida Service-Disabled Veteran Business Enterprise Opportunity Act; amending s. 296.06, F.S.; revising eligibility requirements for residency in the Veterans' Domiciliary Home of Florida; amending s. 296.36, F.S.; revising eligibility requirements for admittance into a licensed health care facility operated by the Department of Veterans' Affairs; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1145—A bill to be entitled An act relating to state parks; creating s. 258.0145, F.S.; providing discounts on annual passes for members and veterans of the United States Armed Forces and reserve forces and for surviving spouses of certain veterans; amending s. 258.004, F.S.; providing additional duties of the Division of Recreation and Parks of the Department of Environmental Protection; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1159—A bill to be entitled An act relating to veterans' guardianship; amending s. 744.604, F.S.; revising the definitions of "benefits" and "income" for purposes of pt. VIII of ch. 744, F.S., the Veterans' Guardianship Law; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1455—A bill to be entitled An act relating to misrepresentation of military status; amending s. 496.415, F.S.; prohibiting a person from falsely representing himself or herself as a member of or representing the United States Armed Forces or the National Guard for the purpose of solicitation of charitable contributions or participation in a charitable or sponsor sales promotion; creating s. 817.312, F.S.; prohibiting a person from wearing the uniform of or any medal or insignia authorized for use by members or veterans of the United States Armed Forces or the National Guard with the intent to misrepresent himself or herself as a member or veteran of the United States Armed Forces or the National Guard while soliciting for charitable contributions; providing criminal penalties; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS for HM 1589 & HM 1365—A memorial to the Congress of the United States, urging Congress to require the United States Environmental Protection Agency to subject the proposed numeric nutrient criteria for Florida to review by the agency's Science Advisory Board and the Government Accountability Office or the Congressional Budget Office.

WHEREAS, nutrients are essential for the biological health and productivity of Florida waters, and

WHEREAS, a delicate relationship exists between the level of nutrients in a water body and its health and productivity, and

WHEREAS, increasing the level of nutrients in combination with site-specific conditions can cause impairment to a water body, and

WHEREAS, the establishment of numeric nutrient criteria in a manner that fails to take into account site-specific factors may result in criteria that lack adequate scientific support and cause unintended environmental and economic consequences, and

WHEREAS, the United States Environmental Protection Agency determined that the State of Florida's standards on acceptable phosphorus and nitrogen levels in its waters need federal intervention, even though Florida has one of the most advanced water quality standards programs in the nation, and

WHEREAS, the Environmental Protection Agency proposed numeric nutrient criteria for the state's streams, canals, and lakes in January 2010 and intends to propose criteria for the state's coastal waters and estuaries in January 2011, and

WHEREAS, the Environmental Protection Agency's schedule for proposing and adopting statewide numeric nutrient criteria has forced the agency to use a methodology that fails to fully take into account the unique characteristics of Florida's many thousands of rivers, streams, canals, and lakes, and

WHEREAS, for nearly 10 years, the Florida Legislature has allocated millions of dollars to the state's Total Maximum Daily Loads Program to scientifically evaluate the quality of Florida's surface waters and promote the environmentally beneficial projects necessary to clean up pollution, and

WHEREAS, the proposed numeric nutrient criteria ignore the good work of, and may undermine, the state's science-based Total Maximum Daily Loads Program, and

WHEREAS, the proposed numeric nutrient criteria will cause severe negative repercussions with respect to alternative water supply programs, including the beneficial reuse of reclaimed water, and

WHEREAS, a study commissioned by the Florida Water Environment Association Utility Council estimates that wastewater utilities in the state will spend between \$24 billion and \$51 billion in capital costs for additional wastewater treatment facilities and incur increases in annual operating costs between \$4 million and \$1 billion to comply with the proposed numeric nutrient criteria, and

WHEREAS, such costs do not consider the economic implications to industrial and stormwater facilities and to agriculture which are likely comparable and additive, and

WHEREAS, the members of the Florida Legislature value the health of our waterways but also recognize that the proposed regulatory changes without adequate and flexible implementation mechanisms will have severe economic consequences on the state's agriculture, local governments, economically vital

industries, small businesses, and residents living below the poverty level or on fixed incomes, and

WHEREAS, believing that regulatory changes should be based on reliable, sound scientific data and analysis, the Florida Legislature is concerned that the Environmental Protection Agency's failure to account for the full range of natural conditions in Florida in developing numeric nutrient criteria does not adequately address the unique characteristics of the state's many thousands of rivers, streams, canals, and lakes, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is urged to:

(1) Require the United States Environmental Protection Agency to subject the proposed numeric nutrient criteria for Florida to peer review by the agency's Science Advisory Board and receive the board's peer review report prior to finalization of the proposed rule to ensure that the numeric nutrient criteria developed for the state are necessary to protect applicable designated uses, based on sound scientific rationale, reflective of the range of natural variability associated with the state's waters, responsive to input from Florida's water quality experts, responsive to available public and stakeholder input, and sufficient to be integrated with the water quality management tools available to the state; and

(2) Require the United States Environmental Protection Agency to subject the proposed numeric nutrient criteria for Florida to review by the Government Accountability Office or the Congressional Budget Office to assess the economic impact of the proposed rule on Florida and adjoining states, particularly including impacts to Florida's local governments, small businesses, and residents living below the poverty level or on fixed incomes, and further require that such review compare the proposed rule to current law in Florida and not assume that there will only be indirect impacts and that widespread variances to the rule will be granted, as the agency assumed in its own economic analysis.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time by title and adopted. Under Rule 11.7(h), the memorial was immediately certified to the Senate.

CS/HM 1609 was temporarily postponed.

CS/HM 1535—A memorial to the Congress of the United States, urging the bipartisan rejection of any energy or climate legislation or other regulations which place an undue burden on the United States economy and its citizens.

—was read the second time by title.

Consideration of **CS/HM 1535** was temporarily postponed.

Recessed

The House recessed at 11:27 a.m., to reconvene at 12:45 p.m.

Reconvened

The House was called to order by the Speaker at 12:45 p.m. A quorum was present [Session Vote Sequence: 852].

Remarks

The Speaker recognized Rep. Evers, who made brief farewell remarks.

The Speaker recognized Rep. Murzin, who made brief farewell remarks.

CS/HM 1609—A memorial to the Congress of the United States, urging Congress to use its constitutional authority to prevent the trial of enemy combatants from taking place in a civilian courtroom.

WHEREAS, on November 13, 2009, United States Attorney General Eric Holder announced the trial of self-described mastermind of 9/11 Khalid Sheikh Mohammed and the other four suspected 9/11 terrorists would be moved from a military court in Guantanamo Bay, Cuba, to a civilian court in New York City just blocks away from the World Trade Center attacks that cost the lives of nearly 3,000 people, and

WHEREAS, Khalid Sheikh Mohammed, Walid Muhammad Salih Mubarek Bin 'Attash, Ramzi bin al Shibh, Ali Abdul Aziz Ali, and Mustafa Ahmed Adam al Hawsawi, known as the "Gitmo 5," all fit the statutory definition of an "unprivileged enemy belligerent" by having engaged in premeditated, politically motivated violence against noncombatant civilian targets, and

WHEREAS, United States Attorney General Eric Holder has also contemplated a civilian court trial in Washington, D.C., for Riduan Isamuddin, better known as "Hambali," and potentially other Guantanamo Bay detainees, and

WHEREAS, "Hambali" is suspected of the planning and bombing of a Bali nightclub which killed 202 people, and

WHEREAS, the "Gitmo 5" or other enemy combatants would likely use a highly publicized civilian trial in the United States to their own political advantage, to mode themselves as martyrs and spread their jihadist ideology both internationally and domestically, and

WHEREAS, some independent observers will not discount the possibility that civilian trials could make New York City, Washington, D.C., or any other domestic locale an even larger target, and

WHEREAS, we are a nation that is at war against terror and should treat enemy combatants in that war as such, and

WHEREAS, trying any enemy combatants in a civilian court would award foreign enemy combatants all the constitutional rights due a United States citizen defendant accused of an ordinary domestic crime, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That Congress is urged to reject any efforts by the Justice Department to try the "Gitmo 5" or any other enemy combatant in federal court in New York City or any other domestic venue by exercising its constitutional authority as set forth in Section 1 of Article III of the United States Constitution which states: "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish."

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was taken up, having been temporarily postponed earlier today, and read the second time by title.

Rep. Fresen moved the adoption of the memorial.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 853].

The question recurred on the adoption of **CS/HM 1609**, which was adopted and, under Rule 11.7(h), immediately certified to the Senate. The vote was:

Session Vote Sequence: 854

Speaker Cretul in the Chair.

Yeas—83

Abruzzo	Flores	Kreegel	Rivera
Adams	Ford	Llorente	Robaina
Adkins	Fresen	Long	Roberson, K.
Ambler	Frishe	Lopez-Cantera	Rogers
Anderson	Gaetz	Mayfield	Saunders
Aubuchon	Galvano	McBurney	Schenck
Bembry	Garcia	McKeel	Schultz
Bernard	Glorioso	Nehr	Snyder
Bogdanoff	Gonzalez	Nelson	Soto
Bovo	Grady	O'Toole	Stargel
Boyd	Grimsley	Patronis	Thompson, N.
Burgin	Hasner	Patterson	Tobia
Carroll	Hays	Plakon	Troutman
Cretul	Heller	Planas	Van Zant
Crisafulli	Holder	Poppell	Weatherford
Cruz	Homan	Porth	Weinstein
Dorworth	Hooper	Precourt	Williams, T.
Drake	Horner	Proctor	Wood
Eisnaugle	Hudson	Ray	Workman
Evers	Kelly	Reagan	Zapata
Fetterman	Kiar	Renuart	

Nays—28

Brandenburg	Gibbons	Rader	Skidmore
Braynon	Gibson	Randolph	Steinberg
Brisé	Jenne	Rehwinkel Vasilinda	Taylor
Bullard	Jones	Roberson, Y.	Thompson, G.
Bush	Kriseman	Rouson	Thurston
Chestnut	Legg	Sands	Waldman
Fitzgerald	Pafford	Schwartz	Williams, A.

Votes after roll call:

Yeas—Cannon, Clarke-Reed, Murzin

Nays—Reed

CS/HM 1535—A memorial to the Congress of the United States, urging the bipartisan rejection of any energy or climate legislation or other regulations which place an undue burden on the United States economy and its citizens.

WHEREAS, there is currently a global economic recession, with unemployment rates in the United States hovering at 10 percent, and

WHEREAS, estimates have placed the cost of previously forwarded energy proposals as high as \$1,500 or more per household per year, and

WHEREAS, if those estimates prove correct, legislation that includes cap and trade could represent the single largest tax increase in the history of the United States, and

WHEREAS, even if implemented, such plans would reduce global temperatures by only a fraction of one degree, and

WHEREAS, meaningful global emissions reductions cannot happen without the aggressive participation of India, China, and other developing nations, and

WHEREAS, China and India have indicated that they will not participate in mandatory emissions control, and

WHEREAS, the passage of draconian energy legislation will result in job losses for the citizens of the United States, and

WHEREAS, carbon-producing industries will be more likely to move to countries where the costs to operate will be lower and may ultimately have a negative effect on the environment as many of those nations do not employ the environmental constraints and requirements currently administered in the United States, and

WHEREAS, the United States Congress has, for several years, debated and declined to grant the United States Environmental Protection Agency the authority to regulate greenhouse gases, and

WHEREAS, the United States Environmental Protection Agency has taken steps to unilaterally circumvent the legislative process to regulate greenhouse gases, citing the Clean Air Act, a document not meant to address the global environment, though it admits such authority stretches the doctrines of "administrative necessity," and

WHEREAS, the United States Environmental Protection Agency estimates such unilateral regulation would cost businesses in the United States billions of dollars in these tough economic times, not to mention the suffocating costs

to businesses and local and state governments associated with additional permitting, regulation, and enforcement, and

WHEREAS, the energy sources of the United States provide well-paying jobs and affordable energy for the citizens of the United States and should be bolstered, rather than undermined by transferring jobs and wealth to nations that regard this nation as an enemy, and

WHEREAS, we must create a diverse energy portfolio that is not only sustainable, but it also efficient and reliable, and

WHEREAS, the United States should be focusing on improving technologies that will make coal, the nation's most abundant energy source, cleaner, and

WHEREAS, nuclear energy is clean, reliable, and safe, using current technology, provides long-term cost savings, and should play a constructive role in any legitimate comprehensive energy plan, and

WHEREAS, the United States can protect the environment and use the nation's energy sources, including oil, natural gas, coal, and nuclear power, to create jobs in the United States and increase national security by utilizing those resources and the ingenuity and productivity of its citizens, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is urged to reject cap and trade legislation, overreaching actions by federal agencies relating to energy or the climate, or any other energy or climate proposals that will artificially raise energy prices for consumers and place an undue burden on the economy and the citizens of the United States for little or no environmental benefit.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was taken up, having been read the second time and temporarily postponed earlier today.

Motion

Rep. Galvano moved to limit debate to 10 minutes per side pursuant to the rules, with 5 minutes to close. The motion was agreed to.

On motion by Rep. Adams, the memorial was adopted and, under Rule 11.7(h), immediately certified to the Senate.

CS/HB 1525 was taken up. On motion by Rep. Weatherford, the House agreed to substitute CS for SB 2742 for CS/HB 1525 and read CS for SB 2742 the second time by title. Under Rule 5.13, the House bill was laid on the table.

CS for SB 2742—A bill to be entitled An act relating to a nonbinding statewide advisory referendum; requiring that a question regarding a balanced federal budget be printed on the ballot and submitted to the voters in the 2010 general election; providing an effective date.

—was read the second time by title.

Representative Weatherford offered the following:

(Amendment Bar Code: 368547)

Amendment 1—Remove lines 18-24 and insert:

In order to stop the uncontrolled growth of our national debt and prevent excessive borrowing by the Federal Government, which threatens our economy and national security, should the United States Constitution be amended to require a balanced federal budget without raising taxes?

Rep. Weatherford moved the adoption of the amendment.

THE SPEAKER PRO TEMPORE IN THE CHAIR

The question recurred on the adoption of **Amendment 1**, which was adopted.

Representative Saunders offered the following:

(Amendment Bar Code: 659585)

Amendment 2—Remove lines 18-24 and insert:
Should the United States Constitution be amended to require a balanced federal budget?

Rep. Saunders moved the adoption of the amendment.

Further consideration of **Amendment 2** was temporarily postponed.

Representative Saunders offered the following:

(Amendment Bar Code: 026179)

Amendment 3—Remove line 24 and insert:
federal budget without raising taxes, user fees, or surcharges?

Rep. Saunders moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 855].

The question recurred on the adoption of **Amendment 3**, which failed of adoption. The vote was:

Session Vote Sequence: 856

Representative Reagan in the Chair.

Yeas—44

Abruzzo	Cruz	Kriseman	Sands
Bembry	Dorworth	Long	Saunders
Bernard	Fetterman	Pafford	Schwartz
Boyd	Fitzgerald	Porth	Skidmore
Brandenburg	Garcia	Rader	Soto
Braynon	Gibbons	Reed	Steinberg
Brisé	Gibson	Rehwinkel Vasilinda	Taylor
Bullard	Heller	Robaina	Thompson, G.
Bush	Jenne	Rogers	Thurston
Chestnut	Jones	Rouson	Waldman
Clarke-Reed	Kiar	Sachs	Williams, A.

Nays—64

Adams	Gaetz	Llorente	Renuart
Adkins	Galvano	Lopez-Cantera	Roberson, K.
Anderson	Glorioso	Mayfield	Schenck
Aubuchon	Gonzalez	McBurney	Schultz
Bogdanoff	Grady	McKeel	Snyder
Burgin	Grimsley	Nehr	Stargel
Cannon	Hasner	Nelson	Thompson, N.
Carroll	Hays	O'Toole	Tobia
Cretul	Holder	Patronis	Troutman
Crisafulli	Homan	Patterson	Van Zant
Drake	Hooper	Plakon	Weatherford
Evers	Horner	Planas	Weinstein
Flores	Hudson	Poppell	Williams, T.
Ford	Kelly	Precourt	Wood
Fresen	Kreegel	Proctor	Workman
Frishe	Legg	Reagan	Zapata

Votes after roll call:

Nays—Ambler, Bovo

Representative Saunders offered the following:

(Amendment Bar Code: 295405)

Amendment 4—Remove line 24 and insert:

federal budget without raising taxes, reducing social security benefits, or cutting NASA funding?

Rep. Saunders moved the adoption of the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 857

Representative Reagan in the Chair.

Yeas—44

Bembry	Cruz	Long	Saunders
Bernard	Fetterman	O'Toole	Schwartz
Boyd	Fitzgerald	Pafford	Skidmore
Brandenburg	Garcia	Porth	Soto
Braynon	Gibbons	Rader	Steinberg
Brisé	Gibson	Reed	Taylor
Bullard	Heller	Rehwinkel Vasilinda	Thompson, G.
Bush	Jenne	Rogers	Thurston
Chestnut	Jones	Rouson	Waldman
Clarke-Reed	Kiar	Sachs	Williams, A.
Crisafulli	Kriseman	Sands	Workman

Nays—63

Adams	Gaetz	Llorente	Renuart
Adkins	Galvano	Lopez-Cantera	Robaina
Anderson	Glorioso	Mayfield	Roberson, K.
Aubuchon	Gonzalez	McBurney	Schenck
Bogdanoff	Grady	McKeel	Schultz
Bovo	Grimsley	Murzin	Snyder
Burgin	Hasner	Nehr	Stargel
Cannon	Hays	Nelson	Thompson, N.
Carroll	Holder	Patronis	Troutman
Cretul	Homan	Patterson	Van Zant
Drake	Hooper	Plakon	Weatherford
Evers	Horner	Planas	Weinstein
Flores	Hudson	Poppell	Williams, T.
Ford	Kelly	Precourt	Wood
Fresen	Kreegel	Proctor	Zapata
Frishe	Legg	Reagan	

Votes after roll call:

Yeas—Tobia

Nays—Ambler

Yeas to Nays—Tobia

Representative Thurston offered the following:

(Amendment Bar Code: 639177)

Amendment 5—Remove line 24 and insert:

federal budget without raising taxes on individuals with adjusted gross income of less than \$200,000 and on couples with adjusted gross income of less than \$250,000?

Rep. Thurston moved the adoption of the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 858

Representative Reagan in the Chair.

Yeas—42

Bembry	Chestnut	Heller	Rader
Bernard	Clarke-Reed	Jenne	Reed
Boyd	Cruz	Jones	Rehwinkel Vasilinda
Brandenburg	Fetterman	Kiar	Roberson, Y.
Braynon	Fitzgerald	Kriseman	Rogers
Brisé	Garcia	Long	Rouson
Bullard	Gibbons	Pafford	Sachs
Bush	Gibson	Porth	Sands

Saunders	Soto	Thompson, G.	Williams, A.
Schwartz	Steinberg	Thurston	
Skidmore	Taylor	Waldman	

Nays—64

Adams	Fresen	Kreegel	Renuart
Adkins	Frishe	Legg	Roberson, K.
Anderson	Gaetz	Llorente	Schenck
Aubuchon	Galvano	Lopez-Cantera	Schultz
Bogdanoff	Glorioso	Mayfield	Snyder
Bovo	Gonzalez	McBurney	Stargel
Burgin	Grady	McKeel	Thompson, N.
Cannon	Grimsley	Nehr	Tobia
Carroll	Hasner	Patronis	Troutman
Cretul	Hays	Patterson	Van Zant
Crisafulli	Holder	Plakon	Weatherford
Dorworth	Homan	Planas	Weinstein
Drake	Hooper	Poppell	Williams, T.
Evers	Horner	Precourt	Wood
Flores	Hudson	Proctor	Workman
Ford	Kelly	Reagan	Zapata

Votes after roll call:

Nays—Ambler

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HM 1583—A memorial to the Congress of the United States urging Congress to balance the federal budget and hold itself to the same fiscal standards to which it expects its citizens to adhere.

WHEREAS, the Congressional Budget Resolution for fiscal year 2011 is pending in Congress, and

WHEREAS, the current national debt is approaching \$12 trillion, a cost of nearly \$40,000 for each man, woman, and child in the United States, and is growing at an alarming rate with the Obama Administration predicting the addition of almost \$5 trillion in new debt over the next 5 years, and

WHEREAS, the 2009 national deficit is equal to nearly 10 percent of the country's entire economic output, a precedent not seen since 1950, and

WHEREAS, if the White House budget projections come to pass, the national debt will exceed the current gross domestic product of the United States of \$16.2 trillion by December of 2012, and

WHEREAS, the governance that authorized such debt and deficits has led to unfunded federal liabilities for Social Security and Medicare of more than \$106 trillion as of December 2009, equal to \$345,548 per American, and

WHEREAS, this spending has created national security concerns that the amount of funds paid by the Federal Government on debt interest alone in 2008, over \$400 billion, was approximately 10 times the amount of funds spent on the Department of Homeland Security that year, and

WHEREAS, equally as concerning, foreign nations owned approximately 30 percent of the federal debt in 2009 and are, therefore, in a unique position of authority with respect to the United States, and

WHEREAS, the Obama Administration's projections show our national budget deficits not returning to sustainable levels over the next 10 years, rising sharply after President Obama leaves office, and

WHEREAS, credit agencies have begun to warn that the nation may lose its AAA credit rating because of the size of these federal budget deficits, deficits that could potentially destabilize government finances and financial markets, and

WHEREAS, millions of people in this country have made difficult choices discerning between wants and needs and have taken the responsible steps to curb personal spending in these difficult economic times, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is urged to balance the federal budget and hold itself to the same fiscal standards to which it expects its citizens to adhere.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time by title.

Representative Fetterman offered the following:

(Amendment Bar Code: 355551)

Amendment 1—Between lines 37 and 38, insert:

WHEREAS, President George W. Bush entered office in 2001 with a surplus of \$236 billion and left the American people in 2009 with a deficit of \$458.6 billion, and

Rep. Fetterman moved the adoption of the amendment. Subsequently, **Amendment 1** was withdrawn.

The question recurred on the adoption of CS/HM 1583, which was adopted and, under Rule 11.7(h), was immediately certified to the Senate.

On motion by Rep. Lopez-Cantera, the board was opened [Session Vote Sequence: 859] and the following members were recorded as cosponsors of the resolution, along with Rep. Lopez-Cantera: Reps. Abruzzo, Adams, Adkins, Ambler, Anderson, Aubuchon, Bembry, Bovo, Boyd, Burgin, Cannon, Carroll, Cretul, Crisafulli, Dorworth, Drake, Evers, Fetterman, Flores, Ford, Fresen, Frishe, Gaetz, Galvano, Glorioso, Gonzalez, Grady, Grimsley, Hasner, Hays, Holder, Homan, Hooper, Horner, Hudson, Kelly, Kiar, Kreegel, Legg, Llorente, Long, Mayfield, McBurney, McKeel, Murzin, Nehr, Nelson, O'Toole, Patronis, Patterson, Plakon, Planas, Poppell, Precourt, Proctor, Ray, Reagan, Renuart, Rivera, Robaina, K. Roberson, Rouson, Saunders, Schenck, Schultz, Snyder, Soto, Stargel, N. Thompson, Tobia, Troutman, Van Zant, Weatherford, Weinstein, T. Williams, Wood, Workman, and Zapata.

SCR 10—A concurrent resolution urging Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States to provide for a balanced federal budget and limit the ability of Congress to dictate to states requirements for the expenditure of federal funds.

—was read the second time by title.

THE SPEAKER IN THE CHAIR

Representative Thurston offered the following:

(Amendment Bar Code: 312431)

Amendment 1—Remove lines 59-61 and insert: should be achieved by addressing the spending habits of our Federal Government and not by increasing the tax burden on families with annual adjusted gross income of less than \$250,000, and

Rep. Thurston moved the adoption of the amendment.

Representative Hasner offered the following:

(Amendment Bar Code: 429467)

Amendment 1 to Amendment 1—Remove lines 5-8 and insert: can only be achieved by addressing the spending habits of our Federal Government and not by increasing the tax burden on families or individual Americans, and

Rep. Hasner moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1**, as amended, which failed of adoption.

Representative Fetterman offered the following:

(Amendment Bar Code: 974079)

Amendment 2—Remove lines 62-103 and insert:

WHEREAS, the United States Congress has recently seen fit to use taxpayer money to directly benefit corporations that were experiencing market difficulties, and

WHEREAS, free market ideals envision the failure of corporations that make bad business decisions, and

WHEREAS, Article V of the Constitution of the United States makes provision for amending the Constitution on the application of the legislatures of two-thirds of the several states, calling a convention for proposing amendments that shall be valid to all intents and purposes if ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as one or the other mode of ratification may be proposed by Congress, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the Legislature of the State of Florida, with all due respect and great reluctance, does hereby make application to the Congress of the United States pursuant to Article V of the Constitution of the United States to call an Article V amendments convention for the purpose of proposing amendments to the Constitution of the United States:

(1) To achieve and maintain a balanced budget by:

(a) Requiring that such balanced budget account for all obligations of the Federal Government;

(b) Allowing flexibility in federal balanced budget requirements by providing exceptions related to exigencies such as national emergencies or threats to the nation's security;

(c) Imposing spending limits on the Federal Government;

(d) Setting extraordinary vote requirements for new or increased federal taxes and other revenues; and

(e) Prohibiting federal mandates on states to impose taxes or fees.

(2) To control the ability of the Congress and the various federal executive agencies to require states to expend funds by:

(a) Limiting the ability of Congress and the various federal executive agencies to pass legislation requiring states to spend money or to take actions requiring the expenditure of money unless federal funds are provided in ongoing amounts sufficient to offset the full costs of such requirements; and

(b) Limiting the ability of Congress to dictate to states requirements for the expenditure of federal funds other than such requirements as may be necessary to measure outcomes to be achieved through the expenditure of the federal funds, leaving to the several states the ability to decide how to best accomplish those outcomes.

(3) To prohibit the Federal Government from directly using taxpayer money to provide direct financial assistance to privately owned or publicly traded entities.

Rep. Fetterman moved the adoption of the amendment.

Point of Order

Rep. Hasner raised a point of order, under Rule 12.8(b)(3), that Amendment Barcode 974079, Amendment Barcode 480581, Amendment Barcode 214733, and Amendment Barcode 478557 to SCR 10 were not germane because they would substantially expand the scope of the resolution to include matters outside the purview for which the resolution makes application.

Point of Order

Rep. Waldman raised a point of order that Rep. Hasner's point was out of order, and that it is improper to rule on the germanity of multiple amendments at one time.

Rep. Galvano, Chair of the Rules & Calendar Council, in speaking to Rep. Waldman's point of order, stated that the point of order raised by Rep. Hasner applied the same for each amendment, and in the interest of legislative economy, recommended Rep. Waldman's point of order not well taken.

The Chair [Speaker Cretul], upon the recommendation of Rep. Galvano, Chair of the Rules & Calendar Council, ruled the point not well taken.

Ruling on the Original Point of Order

Rep. Galvano, Chair of the Rules & Calendar Council, in speaking to the original point of order, stated that, pursuant to Rule 12.8(b)(3), the amendments substantially expanded the scope of the bill, and recommended the point well taken.

The Chair [Speaker Cretul], upon the recommendation of Rep. Galvano, Chair of the Rules & Calendar Council, ruled the point well taken and the amendments out of order.

Representative Fitzgerald offered the following:

(Amendment Bar Code: 174929)

Amendment 3—Remove line 82 and insert:
obligations of the Federal Government, except Social Security and Medicare;

Rep. Fitzgerald moved the adoption of the amendment.

Representative Hasner offered the following:

(Amendment Bar Code: 723367)

Amendment 1 to Amendment 3—Remove lines 5-6 and insert:
obligations of the Federal Government, except Social Security and Medicare, each of which must be fully funded without directly or indirectly incurring additional federal debt;

Rep. Hasner moved the adoption of the amendment to the amendment.

Point of Order

Rep. Waldman raised a point of order, under Rule 12.8, that the amendment to the amendment was not germane to the main amendment.

Rep. Galvano, Chair of the Rules & Calendar Council, in speaking to the point of order on Amendment 1 to Amendment 3 to SCR 10, stated that the amendment to the amendment was germane because it brought the main amendment closer to the original intent of the bill, and recommended the point not be well taken.

The Chair [Speaker Cretul], upon the recommendation of Rep. Galvano, Chair of the Rules & Calendar Council, ruled the point not well taken.

The question recurred on the adoption of **Amendment 1 to Amendment 3**, which was adopted.

The question recurred on the adoption of **Amendment 3**, as amended, which failed of adoption. The vote was:

Session Vote Sequence: 860

Speaker Cretul in the Chair.

Yeas—36

Bembry	Cruz	Long	Sachs
Bernard	Fetterman	Pafford	Sands
Boyd	Fitzgerald	Porth	Saunders
Brandenburg	Gibbons	Rader	Skidmore
Braynon	Gibson	Reed	Soto
Brisé	Heller	Rehwinkel Vasilinda	Steinberg
Bullard	Jenne	Roberson, Y.	Taylor
Bush	Jones	Rogers	Waldman
Clarke-Reed	Kriseman	Rouson	Williams, A.

Nays—64

Adams	Galvano	McBurney	Robaina
Adkins	Gonzalez	McKeel	Roberson, K.
Aubuchon	Grady	Murzin	Schenck
Bovo	Grimsley	Nehr	Schultz
Burgin	Hasner	Nelson	Snyder
Cannon	Hays	O'Toole	Stargel
Carroll	Holder	Patronis	Thompson, G.
Cretul	Homan	Patterson	Thompson, N.
Crisafulli	Hooper	Plakon	Tobia
Dorworth	Horner	Poppell	Troutman
Drake	Hudson	Precourt	Van Zant
Eisnaugle	Kelly	Proctor	Weatherford
Evers	Kreegel	Ray	Weinstein
Flores	Legg	Reagan	Williams, T.
Ford	Lopez-Cantera	Renuart	Wood
Frishe	Mayfield	Rivera	Workman

Votes after roll call:

Yeas—Kiar, Schwartz, Thurston

Nays—Ambler, Gaetz, Planas, Zapata

Yeas to Nays—Thurston

Representative Fetterman offered the following:

(Amendment Bar Code: 397093)

Amendment 4—Between lines 121 and 122, insert:

BE IT FURTHER RESOLVED that this call will expire December 31, 2010.

Rep. Fetterman moved the adoption of the amendment.

Representative Hasner offered the following:

(Amendment Bar Code: 390111)

Amendment 1 to Amendment 4—Remove lines 5-6 and insert:

BE IT FURTHER RESOLVED that this application shall expire upon the cosponsorship of a balanced budget amendment by every member of the Florida Congressional delegation.

BE IT FURTHER RESOLVED that the boundaries of any Congressional district of the State of Florida shall expire upon the reelection in the 2010 General Election of the member representing such district unless such member has, prior to reelection, cosponsored a balanced budget amendment.

Rep. Hasner moved the adoption of the amendment to the amendment.

Point of Order

Rep. Waldman raised a point of order, under Rule 12.8, that the amendment to the amendment was not germane to the main amendment.

Subsequently, **Amendment 1 to Amendment 4** was withdrawn.The question recurred on the adoption of **Amendment 4**.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 861].

The question recurred on the adoption of **Amendment 4**, which failed of adoption. The vote was:

Session Vote Sequence: 862

Speaker Cretul in the Chair.

Yeas—45

Abruzzo	Fetterman	Pafford	Schwartz
Bembry	Fitzgerald	Porth	Skidmore
Bernard	Gibbons	Rader	Soto
Boyd	Gibson	Reed	Steinberg
Brandenburg	Heller	Rehwinkel Vasilinda	Taylor
Braynon	Jenne	Roberson, Y.	Thompson, G.
Brisé	Jones	Rogers	Thurston
Bullard	Kelly	Rouson	Waldman
Bush	Kiar	Sachs	Williams, A.
Clarke-Reed	Kriseman	Sands	
Cruz	Legg	Saunders	
Drake	Long	Schultz	

Nays—65

Adams	Gaetz	McBurney	Roberson, K.
Adkins	Galvano	McKeel	Schenck
Anderson	Glorioso	Murzin	Snyder
Aubuchon	Gonzalez	Nehr	Stargel
Bogdanoff	Grady	Nelson	Thompson, N.
Bovo	Grimsley	O'Toole	Tobia
Burgin	Hasner	Patronis	Troutman
Cannon	Hays	Patterson	Van Zant
Carroll	Holder	Plakon	Weatherford
Cretul	Homan	Poppell	Weinstein
Crisafulli	Hooper	Precourt	Williams, T.
Dorworth	Horner	Proctor	Wood
Eisnaugle	Hudson	Ray	Workman
Evers	Kreegel	Reagan	Zapata
Flores	Llorente	Renuart	
Ford	Lopez-Cantera	Rivera	
Frishe	Mayfield	Robaina	

Votes after roll call:

Nays—Ambler, Planas

On motion by Rep. Galvano, consideration of **SCR 10** was temporarily postponed.**Motion**Rep. Galvano moved that the House move to the order of business of House Resolutions and take up **HR 9099**. The motion was agreed to.**House Resolutions**

On motion by Rep. Porth, the House agreed to read HR 9099 a second time by title.

HR 9099—A resolution recognizing April 19, 2010, as "Florida Wing, Civil Air Patrol Day" in the State of Florida.

WHEREAS, the Civil Air Patrol was established on December 1, 1941, one week before the Japanese attack on Pearl Harbor, by citizens who were concerned about the defense of America's coastline, and

WHEREAS, under the jurisdiction of the United States Army Air Forces, Civil Air Patrol pilots flew more than 500,000 hours and were credited with sinking two enemy submarines and rescuing hundreds of crash survivors during World War II, and

WHEREAS, President Harry Truman established the Civil Air Patrol as a federally chartered benevolent civilian corporation on July 1, 1946, and on May 26, 1948, the United States Congress passed Public Law 557, which permanently established the Civil Air Patrol as the auxiliary of the United States Air Force and charged the patrol with three primary missions: cadet programs, emergency services, and aerospace education, and

WHEREAS, in October 2000, Congress passed Public Law 106-398, which designated the Civil Air Patrol as a volunteer civilian auxiliary of the

United States Air Force when its services are provided to any department or agency of the Federal Government, and

WHEREAS, the Civil Air Patrol's cadet program offers children and young adults from ages 12 to 21 training in the areas of leadership, ethics, decisionmaking, and physical fitness and endurance, as well as the opportunity to fly in military aircraft and compete for scholarships toward earning pilot's licenses, and

WHEREAS, the goal of the Civil Air Patrol's aerospace education program is to foster and cultivate student interest in aerospace through the promotion of aviation, technology, engineering, and aerospace studies in the classroom, and

WHEREAS, the Civil Air Patrol's emergency services program provides crucial services for United States citizens, such as inland search and rescue operations, reconnaissance for homeland security, and disaster relief and support to local, state, and national organizations, and

WHEREAS, the Civil Air Patrol is composed entirely of volunteer members from all walks of life, including medical and business professionals, law enforcement officers, clergy members, educators, and others, whose sole purpose is to serve the citizens of the United States and the State of Florida, and

WHEREAS, one of the largest and most active Wings in the Civil Air Patrol is the Florida Wing, with over 3,800 members, and

WHEREAS, Florida Wing, Civil Air Patrol has flown over 7,145 hours over the past year in support of its task to serve the citizens of the State of Florida and has executed over 385 missions in the state, including United States Air Force training missions, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That April 19, 2010, is recognized as "Florida Wing, Civil Air Patrol Day" in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the Florida Wing, Civil Air Patrol as a tangible token of the sentiments expressed herein.

—was read the second time by title. On motion by Rep. Porth, the resolution was adopted.

On motion by Rep. Porth, the board was opened [Session Vote Sequence: 863] and the following members were recorded as cosponsors of the resolution, along with Rep. Porth: Reps. Abruzzo, Adams, Adkins, Ambler, Anderson, Aubuchon, Bembry, Bernard, Bovo, Boyd, Brandenburg, Braynon, Brisé, Bullard, Burgin, Bush, Cannon, Carroll, Chestnut, Clarke-Reed, Cretul, Crisafulli, Cruz, Dorworth, Drake, Eisnaugle, Evers, Fetterman, Fitzgerald, Flores, Ford, Fresen, Frishe, Gaetz, Galvano, Garcia, Gibbons, Gibson, Gonzalez, Hasner, Hays, Heller, Holder, Homan, Hooper, Horner, Hudson, Jenne, Jones, Kelly, Kiar, Kreegel, Kriseman, Legg, Llorente, Long, Lopez-Cantera, Mayfield, McBurney, McKeel, Murzin, Nehr, Nelson, O'Toole, Pafford, Patronis, Patterson, Plakon, Planas, Poppell, Precourt, Proctor, Rader, Ray, Reagan, Reed, Rehwinkel Vasilinda, Renuart, Rivera, Robaina, K. Roberson, Y. Roberson, Rogers, Rouson, Sachs, Sands, Saunders, Schenck, Schultz, Schwartz, Skidmore, Snyder, Soto, Stargel, Steinberg, Taylor, G. Thompson, N. Thompson, Thurston, Tobia, Van Zant, Waldman, Weatherford, Weinstein, A. Williams, T. Williams, Wood, Workman, and Zapata.

Motion

Rep. Galvano moved that the House revert to the order of business of Special Orders and take up CS/CS/HJR 37. The motion was agreed to.

Special Orders

CS/CS/HJR 37—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution, relating to health care services.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HM 227—A memorial to the Congress of the United States, urging Congress to preserve the authority of the Governor to retain command and control of the Florida National Guard and to reject any changes to federal law which would restrict or diminish the authority of the Governor to activate the Florida National Guard in response to a domestic crisis, disaster, or other emergency.

WHEREAS, Article I, Section 8, Clause 16 of the United States Constitution and Title 32 of the United States Code grant authority to the Governor to act as commander in chief of the Florida National Guard, and

WHEREAS, the Insurrection Act contained in Title 10 of the United States Code currently provides authority to the President of the United States to activate the Florida National Guard in certain circumstances, and

WHEREAS, revisions to the Insurrection Act enacted in 2007 which provided the President wider authority to activate National Guard units were repealed in 2008, and

WHEREAS, as the military arm of the Governor and the people of the State of Florida, the Florida National Guard stands ready to immediately respond to a call from the Governor whenever there is a crisis or an emergency at home or abroad, and

WHEREAS, because the State of Florida is extremely vulnerable to hurricanes, the state is often faced with recurring and sometimes overlapping emergency situations that require immediate and significant response, and

WHEREAS, the Florida National Guard is the only military force that the Governor can call upon to respond to disasters and other emergencies, and

WHEREAS, coordination and command of the Florida National Guard is also equally critical to the Governor's ability to successfully ensure homeland security and carry out domestic defense duties, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is urged to preserve the authority of the Governor to retain command and control of the Florida National Guard and to reject any changes to federal law which would restrict or diminish the authority of the Governor to activate the Florida National Guard in response to a domestic crisis, disaster, or other emergency.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time by title. On motion by Rep. Adams, the memorial was adopted and, under Rule 11.7(h), immediately certified to the Senate.

CS/HM 553—A memorial to the Congress of the United States, urging Congress to consider all available mechanisms to lessen the sudden impact of the changes made to the Magnuson-Stevens Fishery Conservation and Management Act and seek to balance resource protection and economic prosperity in Florida.

WHEREAS, the Magnuson-Stevens Fishery Conservation and Management Act emphasized preventing overfishing and rebuilding overfished stocks, and

WHEREAS, recent revisions to the act were prompted in part by criticism of progress toward ending overfishing and rebuilding fish stocks, and

WHEREAS, such revisions impose significant restrictions on commercial and recreational fishing in federal waters and prohibitively short deadlines to end overfishing, and

WHEREAS, every federally managed fishery that is classified as undergoing overfishing is required to have annual catch limits and accountability measures in place by 2010, and

WHEREAS, all other federally managed species are required to have annual catch limits and accountability measures in place by 2011, and

WHEREAS, such requirements include accountability measures which stipulate that if catch limits are exceeded for such federally managed species, federal actions must be stipulated to compensate for the harvest overage, and

WHEREAS, the consequence of such accountability measures is that certain types of fishing activity, such as recreational fishing, could be faced with ever-increasing limits imposed over a minimal timeframe, and

WHEREAS, in the federal waters of the South Atlantic, there are 10 species of economically important reef fish that are subject to the new deadline, and

WHEREAS, a number of similar actions to restrict harvest of reef fish in the Gulf of Mexico have been instituted, and

WHEREAS, federal managers are considering a complete closure of all fishing for the Atlantic red snapper fishery, and

WHEREAS, severely restricting or eliminating harvest for 10 of the state's most valuable reef fish species simultaneously will have the unfortunate impact of putting people out of business, and

WHEREAS, the act requires federal managers to use the best scientific information available to end overfishing and provide future sustainable harvest, and

WHEREAS, even though fishery scientists are using the best scientific information available, there continues to be inadequate funding to conduct the level of fisheries monitoring and research work necessary to meet the standards of the act, and

WHEREAS, to meet such standards, it is imperative to provide federal fishery managers with the financial means necessary to gather and analyze more complete and continuous information on the status of fish stocks, and

WHEREAS, consistent with these conservation requirements, recent changes to the act direct that economic impacts to fishing communities be minimized and that mechanisms be provided to support the economic health of fishing communities, and

WHEREAS, every effort should be made to provide economic assistance to key fishing industries and businesses that cannot survive the restrictions being implemented by recent changes to the Magnuson-Stevens Fishery Conservation and Management Act, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is requested to consider all available mechanisms to lessen the sudden impact of the changes made to the Magnuson-Stevens Fishery Conservation and Management Act and seek to balance resource protection and economic prosperity in Florida.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time by title. On motion by Rep. Workman, the memorial was adopted and, under Rule 11.7(h), immediately certified to the Senate.

HJR 15—A joint resolution proposing an amendment to Section 12 of Article IV of the State Constitution to redesignate the Department of Elderly Affairs as the Department of Elder Affairs.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 225 was temporarily postponed.

HB 7239 was temporarily postponed.

CS/HM 1349—A memorial to the Congress of the United States, urging Congress to support the opportunity to provide increased access to community-based services for individuals with developmental disabilities.

WHEREAS, federal and state financial assistance is provided for services under the Medicaid program for individuals with developmental disabilities, and

WHEREAS, community-based services are a valuable cost-effective alternative to institutional care because such services benefit both the individual receiving the services and the federal and state programs that fund the services, and

WHEREAS, studies suggest that individuals with developmental disabilities who receive services in their homes or other community settings experience improved outcomes, quality of care, and quality of life in contrast to individuals with developmental disabilities who receive care in institutional settings, and

WHEREAS, publicly funded programs that cover community-based services for individuals with developmental disabilities are limited, and

WHEREAS, federal and state programs provide limited support for community-based services that serve as an alternative to institutional care for individuals with developmental disabilities, and

WHEREAS, the years after a student with a developmental disability leaves the educational system are critical for learning and transition, and

WHEREAS, the need to allow the opportunity to provide increased access to community-based services at the discretion of the developmentally disabled individual's family is recognized, and

WHEREAS, access to community-based services, regardless of a family's income, insurance coverage, or Medicaid eligibility, is recognized as essential in improving the quality of life for individuals with developmental disabilities, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is urged to:

(1) Support the "Achieving a Better Life Experience Act of 2009" or the "ABLE Act of 2009," as reflected in H.R. 1205 and S. 493; and

(2) Support ABLE accounts for individuals with developmental disabilities to assist them in paying certain expenses, including expenses for education, housing, transportation, employment support, medical care, and certain life necessities.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time by title. On motion by Rep. Skidmore, the memorial was adopted and, under Rule 11.7(h), immediately certified to the Senate.

CS/HM 1187—A memorial to the Congress of the United States, urging Congress to fully support the space program and recognize the significance of research related to human space flight.

WHEREAS, the Space Shuttle Program is scheduled to end in the near future, and

WHEREAS, the National Aeronautics and Space Administration is beginning the transition to new launch systems that enable humans to explore beyond low earth orbit, and

WHEREAS, NASA and the White House Office of Science and Technology Policy established the Review of U.S. Human Space Flight Plans Committee to review the progress and status of the national human space exploration mission and the programs and systems being developed to enable human space exploration, and

WHEREAS, the committee found that human space exploration can drive technology innovation, develop commercial industries and national capabilities, demonstrate international leadership and contribute to scientific knowledge, inspire the next generation, and chart a path for human expansion into the solar system, and

WHEREAS, the committee found that human exploration beyond low earth orbit is not viable under the current federal budget guidelines and that

additional annual funding for human space exploration is necessary in order to establish a meaningful program, and

WHEREAS, the committee found that NASA's budget should match its mission and goals, and that NASA should be given the ability to shape its organization and infrastructure accordingly, while maintaining facilities of national importance, and

WHEREAS, the current budget will result in a significant gap in United States human space flight capabilities, which may result in the loss of critical national capabilities of workforce experience and the aerospace industrial base, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is requested to:

(1) Increase the level of NASA's budget to a level sufficient to enable the development of exploration systems and vehicles, operate the International Space Station through 2020, and reduce the gap in United States human space flight;

(2) Support the life sciences research necessary for long-term human space flight beyond low earth orbit;

(3) Direct appropriate work and programs to utilize Florida's unique workforce skills and aerospace facilities to preserve and enhance national space launch capability; and

(4) Support the increased utilization and sustainable development of federal and state spaceports as national resources supporting commercial enterprises and research and technology development.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time by title. On motion by Rep. Horner, the memorial was adopted and, under Rule 11.7(h), immediately certified to the Senate.

CS/HM 253 was taken up.

THE SPEAKER PRO TEMPORE IN THE CHAIR

On motion by Rep. Workman, the House agreed to substitute SM 944 for CS/HM 253 and read SM 944 the second time by title. Under Rule 5.13, the House bill was laid on the table.

SM 944—A memorial to the Congress of the United States, urging Congress to direct that one of the retiring space shuttle orbiters be preserved and placed on permanent display at the Kennedy Space Center.

WHEREAS, the space shuttle program was a technical milestone, producing the first reusable orbital spacecraft, and has been the mainstay of the nation's manned space flight program, and

WHEREAS, the National Aeronautics and Space Administration launched the first space shuttle mission in 1981 from the Kennedy Space Center, the location from which all subsequent missions have been launched, and

WHEREAS, since 1981, there have been over 125 shuttle missions, with the last planned shuttle flight scheduled for launch from the Kennedy Space Center in September 2010, and

WHEREAS, in fiscal year 2008, the space shuttle program was responsible for approximately 15 percent of the Kennedy Space Center's budget allocation, and more than 40,000 jobs in this state are estimated to be attributable to the space center's operations, an indication that, in addition to its historical importance, the shuttle program has been of significant economic importance to Floridians, and

WHEREAS, after the tragic losses of Challenger in 1986 and Columbia in 2003, three orbiters remain in the shuttle fleet: Atlantis, Discovery, and Endeavor, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Legislature requests the United States Congress to direct that one of the retiring space shuttle orbiters be preserved and placed on permanent display at the Kennedy Space Center.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time by title. On motion by Rep. Workman, the memorial was adopted and, under Rule 11.7(h), immediately certified to the Senate.

CS/HM 481—A memorial to the Congress of the United States, urging Congress to provide sufficient funding to the National Aeronautics and Space Administration and the John F. Kennedy Space Center to mitigate the severe economic impact that will result in Florida when the nation's human space flight program ceases operations and before the new human space flight program begins.

WHEREAS, the United States' human space flight program is scheduled to cease operations after September 30, 2010, and

WHEREAS, the cessation of our nation's human space flight program will result in the loss of employment of thousands of highly trained space flight employees in Florida, and

WHEREAS, Florida is home to thousands of suppliers and service providers who will lose employment or vital income upon cessation of the United States' human space flight program, and

WHEREAS, the next planned United States' human space flight program is not scheduled to be in operation for at least 5 years, and

WHEREAS, a gap of 5 years in human space flight programs will result in our nation's loss of highly specialized space-faring skills due to the dispersion of the workforce, and

WHEREAS, the United States' human space flight program has greatly contributed to our nation's national defense and many of today's technological advances, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is urged to provide sufficient funding to the National Aeronautics and Space Administration and the John F. Kennedy Space Center to mitigate the devastating economic impact to Florida's workforce and economy due to a gap of 5 years in human space flight programs.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time by title. On motion by Rep. Crisafulli, the memorial was adopted and, under Rule 11.7(h), immediately certified to the Senate.

CS/HM 1199 was taken up. On motion by Rep. Crisafulli, the House agreed to substitute SM 1896 for CS/HM 1199 and read SM 1896 the second time by title. Under Rule 5.13, the House bill was laid on the table.

SM 1896—A memorial to the Congress of the United States, urging Congress to support any commercial, civil, military, or academic endeavor, including job training and placement, which will enable the United States space program to maintain, to the greatest extent possible, our nation's only human space flight workforce.

WHEREAS, the space shuttle first began flying from Florida in 1981, and
WHEREAS, Florida is the home of the nation's only human space flight workforce, and

WHEREAS, our nation's prowess in space suffered when the Apollo program was abruptly terminated, followed by a lengthy gap in time before the onset of the Space Shuttle Program, and

WHEREAS, this nation did not sufficiently facilitate alternate commercial, civil, military, or academic endeavors, including job training and placement, in Florida to preserve the skills of the Apollo workforce so that they could be put to use on the Space Shuttle Program, and

WHEREAS, the unemployed, highly skilled Apollo workforce was forced to dissipate and find employment elsewhere, and

WHEREAS, the Space Shuttle Program was forced, in large part and at great expense, to use a new and untested workforce for space shuttle launch operations, and

WHEREAS, the Space Shuttle Program is slated to retire in 2010 and there is currently a gap of at least 5 years between space shuttle retirement and the next American human space flight, and

WHEREAS, the United States should not repeat the mistakes made at the end of the Apollo program, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the United States Congress is urged to facilitate any commercial, civil, military, or academic endeavor, including job training and placement, which will maintain this nation's highly skilled human space flight operations workforce, which currently resides in Florida.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time by title. On motion by Rep. Crisafulli, the memorial was adopted and, under Rule 11.7(h), immediately certified to the Senate.

CS/CS/HB 1389—A bill to be entitled An act relating to space and aerospace infrastructure; providing a short title; amending s. 288.1088, F.S.; providing legislative findings; authorizing the use of a specified amount of resources for projects to retain or create high-technology jobs directly associated with developing a more diverse aerospace economy in the state; authorizing Enterprise Florida, Inc., to waive eligibility criteria for projects receiving funds from the Quick Action Closing Fund which would mitigate the impact of the conclusion of the space shuttle program; revising authorized uses of specified Space Florida appropriations; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 713—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 20.165, F.S.; assigning certain programs to regulation by the department's Division of Professions; amending ss. 215.37 and 455.017, F.S.; specifying that the department is responsible for the regulation of certain professions; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to issue reproductions of driver's licenses to the Department Business and Professional Regulation pursuant to an interagency agreement for a specified purpose; amending s. 455.02, F.S.; authorizing the temporary professional licensure of the spouses of active duty members of the United States Armed Forces under certain circumstances; providing application requirements; requiring criminal history checks and fees; creating s. 455.2122, F.S.; authorizing distance learning courses to satisfy certain licensing education requirements for community association managers and real estate brokers and sales associates; prohibiting requirements for centralized examinations to complete such education requirements; amending s. 455.2123, F.S.; authorizing distance learning courses to satisfy certain continuing education requirements for community association managers, home inspectors, mold assessors and remediators, and real estate brokers, sales associates, and

appraisers; prohibiting requirements for centralized examinations to complete such education requirements; amending s. 455.213, F.S.; requiring a licensee to surrender his or her license under certain circumstances; amending s. 455.217, F.S.; revising the departmental unit responsible for administration of certain examinations; limiting an applicant's review of failed examination questions; amending s. 455.2175, F.S.; prohibiting an examinee whose examination materials are confiscated from taking another examination under certain circumstances; repealing s. 455.2226, F.S., relating to continuing education courses on HIV and AIDS required for licensees and certificateholders under the Florida Funeral, Cemetery, and Consumer Services Act; amending s. 455.227, F.S.; revising grounds for the discipline of professional licensees; providing penalties; amending s. 455.228, F.S.; revising terminology for cease and desist notices; amending s. 455.275, F.S.; providing for the service of administrative complaints on certain licensees and publication of certain notices; amending s. 468.83, F.S.; creating the home inspection services licensing program within the department; amending s. 468.8311, F.S.; revising the definition of the term "home inspection services" for purposes of provisions regulating home inspectors; amending s. 468.8312, F.S.; deleting limits on fees for certificates of authorization to conform to changes made by the act; amending s. 468.8313, F.S.; requiring home inspector license applicants to satisfy certain examination requirements before application for licensure; requiring criminal history checks and fees; amending s. 468.8318, F.S.; deleting requirements for certificates of authorization for corporations or partnerships offering home inspection services; amending s. 468.8319, F.S.; prohibiting certain acts relating to home inspection services; delaying implementation of certain prohibited acts; providing penalties; providing an exemption for certain certified contractors; authorizing the department to require certain disclosures on contracts for home repairs performed by such contractors; exempting from punishment certain unlicensed activity occurring before a specified date; amending s. 468.832, F.S.; providing an additional ground for discipline of licensed home inspectors; amending s. 468.8324, F.S.; extending the time for licensure of home inspectors under certain grandfather provisions; revising the licensing criteria for such provisions; authorizing the department to investigate the validity of home inspection reports submitted for licensure under the grandfather provisions; providing penalties for the submission of false reports; creating s. 468.8325, F.S.; requiring the department to adopt rules; amending s. 468.84, F.S.; creating the mold-related services licensing program within the department; amending s. 468.8412, F.S.; deleting limits on fees for certificates of authorization to conform to changes made by the act; amending s. 468.8413, F.S.; requiring mold assessor and mold remediator license applicants to satisfy certain examination requirements before application for licensure; revising the educational requirements for licensure as a mold assessor or mold remediator; requiring criminal history checks and fees; amending s. 468.8414, F.S.; specifying that certain insurance coverage is required for licensure by endorsement; amending s. 468.8418, F.S.; deleting requirements for certificates of authorization for corporations or partnerships offering mold-related services; amending s. 468.8419, F.S.; prohibiting certain acts relating to mold assessment and remediation; delaying implementation of certain prohibited acts; providing penalties; providing exemptions for certain certified contractors; authorizing the department to require certain disclosures on contracts for mold-related services performed by such contractors; exempting from punishment certain unlicensed activity occurring before a specified date; amending s. 468.842, F.S.; providing an additional ground for discipline of licensed mold assessors and mold remediators; amending s. 468.8421, F.S.; revising insurance coverage requirements for mold assessors; amending s. 468.8423, F.S.; extending the time for licensure of mold assessors and mold remediators under certain grandfather provisions; revising the licensing criteria for such provisions; authorizing the department to investigate the validity of mold assessments and remediation invoices submitted for licensure under the grandfather provisions; providing penalties for the submission of false assessments or invoices; creating s. 468.8424, F.S.; requiring the department to adopt rules; amending s. 474.203, F.S.; revising certain exemptions from regulation of veterinary medical practice; amending s. 475.02, F.S.; authorizing certain members of the Florida Real Estate Commission to offer, conduct, and teach courses prescribed or approved by the commission or the

department; amending s. 475.175, F.S.; revising the application and fingerprint requirements for real estate broker and sales associate licenses; deleting a requirement that license applicants provide fingerprints in an electronic format; amending s. 475.613, F.S.; revising qualifications of members of the Florida Real Estate Appraisal Board; authorizing certain board members to offer, conduct, and teach courses prescribed or approved by the board or the department; amending s. 477.019, F.S.; deleting time limits for cosmetology license applicants to take the licensure examination; conforming a cross-reference; amending s. 509.211, F.S.; assigning responsibility for the regulation of carbon monoxide hazards in certain public lodging establishments to the Division of State Fire Marshal of the Department of Financial Services; creating s. 548.076, F.S.; authorizing the Department of Business and Professional Regulation to issue and enforce notices to cease and desist from violations of provisions regulating pugilistic exhibitions; providing penalties; amending s. 561.17, F.S.; revising application requirements for alcoholic beverage licenses; reenacting ss. 468.436(2)(a), 468.832(1)(a), 468.842(1)(a), 471.033(1)(a), 473.323(1)(a), 475.25(1)(a), 475.624(1), 476.204(1)(h), 477.029(1)(h), 481.225(1)(a), and 481.325(1)(a), F.S., relating to disciplinary proceedings for community association managers, home inspectors, mold assessors, mold remediators, engineers, certified public accountants, real estate brokers and sales associates, real estate appraisers, barbers, cosmetologists, architects, and landscape architects, to incorporate the amendment made to s. 455.227, F.S., in references thereto; reenacting s. 468.8314(2), F.S., relating to the licensure of home inspectors, to incorporate the amendment made to s. 468.832, F.S., in a reference thereto; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 869—A bill to be entitled An act relating to political advertisements; providing a short title; amending s. 106.143, F.S.; providing an alternative statement that may be used to identify a candidate as the sponsor of a political advertisement under certain circumstances; providing circumstances under which certain campaign messages and political advertisements are not required to state or display specific information regarding the identity of the candidate, his or her party affiliation, and the office sought in the message or advertisement; authorizing a candidate or political committee to place a statement on a social networking website or account indicating that the site or account is an official site or account approved by the candidate or political committee; prohibiting an official designation without the prior approval by the candidate or political committee; providing an effective date.

—was read the second time by title.

Representatives McKeel and Eisnagle offered the following:

(Amendment Bar Code: 602599)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 2 of this act may be cited as the "Technology in Elections Act."

Section 2. Subsection (1) of section 106.143, Florida Statutes, is amended, present subsection (8) of that section is renumbered as subsection (9), and a new subsection (8) is added to that section, to read:

106.143 Political advertisements circulated prior to election; requirements.—

(1)(a) Any political advertisement that is paid for by a candidate and that is published, displayed, or circulated prior to, or on the day of, any election must prominently state:

1. "Political advertisement paid for and approved by ...(name of candidate)..., ...(party affiliation)..., for ...(office sought)..."; or

2. "Paid by ...(name of candidate)..., ...(party affiliation)..., for ...(office sought)..."

(b) Any other political advertisement published, displayed, or circulated prior to, or on the day of, any election must prominently:

1. Be marked "paid political advertisement" or with the abbreviation "pd. pol. adv."

2. State the name and address of the persons sponsoring the advertisement.

3.a.(I) State whether the advertisement and the cost of production is paid for or provided in kind by or at the expense of the entity publishing, displaying, broadcasting, or circulating the political advertisement; or

(II) State who provided or paid for the advertisement and cost of production, if different from the source of sponsorship.

b. This subparagraph does not apply if the source of the sponsorship is patently clear from the content or format of the political advertisement.

(c) Any political advertisement made pursuant to s. 106.021(3)(d) must be marked "paid political advertisement" or with the abbreviation "pd. pol. adv." and must prominently state, "Paid for and sponsored by ...(name of person paying for political advertisement)... Approved by ...(names of persons, party affiliation, and offices sought in the political advertisement)..."

~~This subsection does not apply to campaign messages used by a candidate and the candidate's supporters if those messages are designed to be worn by a person.~~

(8) This section does not apply to any campaign message or political advertisement used by a candidate and the candidate's supporters or by a political committee if the message or advertisement is:

(a) Designed to be worn by a person.

(b) Placed as a paid link on an Internet website, provided the message or advertisement is no more than 200 characters in length and the link directs the user to another Internet website that complies with subsection (1).

(c) Placed as a graphic or picture link where compliance with the requirements of this section is not reasonably practical due to the size of the graphic or picture link and the link directs the user to another Internet website that complies with subsection (1).

(d) Placed at no cost on an Internet website for which there is no cost to post content for public users.

(e) Placed or distributed on an unpaid profile or account which is available to the public without charge or on a social networking Internet website, as long as the source of the message or advertisement is patently clear from the content or format of the message or advertisement. A candidate or political committee may prominently display a statement indicating that the website or account is an official website or account of the candidate or political committee and is approved by the candidate or political committee. A website or account may not be marked as official without prior approval by the candidate or political committee.

(f) Distributed as a text message or other message via Short Message Service, provided the message is no more than 200 characters in length or requires the recipient to sign up or opt in to receive it.

(g) Connected with or included in any software application or accompanying function, provided that the user signs up, opts in, downloads, or otherwise accesses the application from or through a website that complies with subsection (1).

(h) Sent by a third-party user from or through a campaign or committee's website, provided the website complies with subsection (1).

(i) Contained in or distributed through any other technology-related item, service, or device for which compliance with subsection (1) is not reasonably practical due to the size or nature of such item, service, or device as available, or the means of displaying the message or advertisement makes compliance with subsection (1) impracticable.

(9)(8) Any person who willfully violates any provision of this section is subject to the civil penalties prescribed in s. 106.265.

Section 3. Paragraph (b) of subsection (1) of section 106.011, Florida Statutes, is reenacted and amended, subsections (3) and (4) of that section are reenacted, subsection (14) of that section is amended, and subsections (18) and (19) of that section are reenacted and amended, to read:

106.011 Definitions.—As used in this chapter, the following terms have the following meanings unless the context clearly indicates otherwise:

(1)

(b) Notwithstanding paragraph (a), the following entities are not considered political committees for purposes of this chapter:

1. Organizations which are certified by the Department of State as committees of continuous existence pursuant to s. 106.04, national political parties, and the state and county executive committees of political parties regulated by chapter 103.

2. Corporations regulated by chapter 607 or chapter 617 or other business entities formed for purposes other than to support or oppose issues or candidates, if their political activities are limited to contributions to candidates, political parties, or political committees or expenditures in support of or opposition to an issue from corporate or business funds and if no contributions are received by such corporations or business entities.

3. Electioneering communications organizations as defined in subsection (19); ~~however, such organizations shall be required to register with and report expenditures and contributions, including contributions received from committees of continuous existence, to the Division of Elections in the same manner, at the same time, and subject to the same penalties as a political committee supporting or opposing an issue or a legislative candidate, except as otherwise specifically provided in this chapter.~~

(3) "Contribution" means:

(a) A gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value, including contributions in kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election or making an electioneering communication.

(b) A transfer of funds between political committees, between committees of continuous existence, between electioneering communications organizations, or between any combination of these groups.

(c) The payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to a candidate or political committee without charge to the candidate or committee for such services.

(d) The transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, and the term includes any interest earned on such account or certificate.

Notwithstanding the foregoing meanings of "contribution," the word shall not be construed to include services, including, but not limited to, legal and accounting services, provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee. This definition shall not be construed to include editorial endorsements.

(4)(a) "Expenditure" means a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, or gift of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication. However, "expenditure" does not include a purchase, payment, distribution, loan, advance, or gift of money or anything of value made for the purpose of influencing the results of an election when made by an organization, in existence prior to the time during which a candidate qualifies or an issue is placed on the ballot for that election, for the purpose of printing or distributing such organization's newsletter, containing a statement by such organization in support of or opposition to a candidate or issue, which newsletter is distributed only to members of such organization.

(b) As used in this chapter, an "expenditure" for an electioneering communication is made when the earliest of the following occurs:

1. A person enters into a contract for applicable goods or services;
2. A person makes payment, in whole or in part, for the production or public dissemination of applicable goods or services; or
3. The electioneering communication is publicly disseminated.

(14) "Filing officer" means the person before whom a candidate qualifies, the agency or officer with whom a political committee or an electioneering communications organization registers, or the agency by whom a committee of continuous existence is certified.

(18)(a) "Electioneering communication" means any communication publicly distributed by a television station, radio station, cable television system, satellite system, newspaper, magazine, direct mail, or telephone ~~or~~

~~paid expression in any communications media prescribed in subsection (13) by means other than the spoken word in direct conversation that:~~

1. Refers to or depicts a clearly identified candidate for office ~~or contains a clear reference indicating that an issue is to be voted on at an election~~, without expressly advocating the election or defeat of a candidate but that is susceptible of no reasonable interpretation other than an appeal to vote for or against a specific candidate; or the passage or defeat of an issue.

2. Is made within 30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate; and

3. Is for communications referring to or depicting a clearly identified candidate for office, is targeted to the relevant electorate. A communication is considered targeted if 1,000 or more persons in the geographic area the candidate would represent if elected will receive the communication.

3. For communications containing a clear reference indicating that an issue is to be voted on at an election, is published after the issue is designated a ballot position or 120 days before the date of the election on the issue, whichever occurs first.

(b) The term "electioneering communication" does not include:

1. A communication disseminated through a means of communication other than a television station, radio station, cable television system, satellite system, newspaper, magazine, direct mail, telephone, or statement or depiction by an organization, in existence prior to the time during which a candidate named or depicted qualifies or an issue identified is placed on the ballot for that election, made in that organization's newsletter, which newsletter is distributed only to members of that organization.

2. A communication in a news story, commentary, or editorial distributed through the facilities of any radio station, television station, cable television system, or satellite system, unless the facilities are owned or controlled by any political party, political committee, or candidate. A news story distributed through the facilities owned or controlled by any political party, political committee, or candidate may nevertheless be exempt if it represents a bona fide news account communicated through a licensed broadcasting facility and the communication is part of a general pattern of campaign-related news accounts that give reasonably equal coverage to all opposing candidates in the area. An editorial endorsement, news story, commentary, or editorial by any newspaper, radio, television station, or other recognized news medium.

3. A communication that constitutes a public debate or forum that includes at least two opposing candidates for an office or one advocate and one opponent of an issue, or that solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum, provided that:

a. The staging organization is either:

(I) A charitable organization that does not make other electioneering communications and does not otherwise support or oppose any political candidate or political party; or

(II) A newspaper, radio station, television station, or other recognized news medium; and

b. The staging organization does not structure the debate to promote or advance one candidate or issue position over another.

(c) For purposes of this chapter, an expenditure made for, or in furtherance of, an electioneering communication shall not be considered a contribution to or on behalf of any candidate.

(d) For purposes of this chapter, an electioneering communication shall not constitute an independent expenditure nor be subject to the limitations applicable to independent expenditures.

(19) "Electioneering communications organization" means any group, other than a political party, political committee, or committee of continuous existence, whose election-related activities are limited to making expenditures for electioneering communications or accepting contributions for the purpose of making electioneering communications and whose activities would not otherwise require the group to register as a political party, political committee, or committee of continuous existence under this chapter.

Section 4. Subsection (1) of section 106.022, Florida Statutes, is reenacted to read:

106.022 Appointment of a registered agent; duties.—

(1) Each political committee, committee of continuous existence, or electioneering communications organization shall have and continuously maintain in this state a registered office and a registered agent and must file with the division a statement of appointment for the registered office and registered agent. The statement of appointment must:

- (a) Provide the name of the registered agent and the street address and phone number for the registered office;
- (b) Identify the entity for whom the registered agent serves;
- (c) Designate the address the registered agent wishes to use to receive mail;
- (d) Include the entity's undertaking to inform the division of any change in such designated address;
- (e) Provide for the registered agent's acceptance of the appointment, which must confirm that the registered agent is familiar with and accepts the obligations of the position as set forth in this section; and
- (f) Contain the signature of the registered agent and the entity engaging the registered agent.

Section 5. Paragraph (b) of subsection (1) of section 106.03, Florida Statutes, is reenacted and amended, and subsections (2), (4), and (7) of that section are amended, to read:

106.03 Registration of political committees and electioneering communications organizations.—

- (1)
- (b) L. Each electioneering communications organization that receives anticipates receiving contributions or makes making expenditures during a calendar year in an aggregate amount exceeding \$5,000 shall file a statement of organization as provided in subparagraph 2. subsection (3) by expedited delivery within 24 hours after its organization or, if later, within 24 hours after the date on which it receives has information that causes the organization to anticipate that it will receive contributions or makes make expenditures for an electioneering communication in excess of \$5,000.

2.a. In a statewide, legislative, or multicounty election, an electioneering communications organization shall file a statement of organization with the Division of Elections.

b. In a countywide election or any election held on less than a countywide basis, except as described in sub-subparagraph c., an electioneering communications organization shall file a statement of organization with the supervisor of elections of the county in which the election is being held.

c. In a municipal election, an electioneering communications organization shall file a statement of organization with the officer before whom municipal candidates qualify.

d. Any electioneering communications organization that would be required to file a statement of organization in two or more locations by reason of the organization's intention to support or oppose candidates at state or multicounty and local levels of government need only file a statement of organization with the Division of Elections.

(2) The statement of organization shall include:

- (a) The name, mailing address, and street address of the committee or electioneering communications organization;
- (b) The names, street addresses, and relationships of affiliated or connected organizations;
- (c) The area, scope, or jurisdiction of the committee or electioneering communications organization;
- (d) The name, mailing address, street address, and position of the custodian of books and accounts;
- (e) The name, mailing address, street address, and position of other principal officers, including the treasurer and deputy treasurer including officers and members of the finance committee, if any;
 - 1. Each candidate whom the committee is supporting;
 - 2. Any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office whatever;
- (g) Any issue or issues the committee such organization is supporting or opposing;
- (h) If the committee is supporting the entire ticket of any party, a statement to that effect and the name of the party;
- (i) A statement of whether the committee is a continuing one;

(j) Plans for the disposition of residual funds which will be made in the event of dissolution;

(k) A listing of all banks, safe-deposit boxes, or other depositories used for committee or electioneering communications organization funds; ~~and~~

(l) A statement of the reports required to be filed by the committee or the electioneering communications organization with federal officials, if any, and the names, addresses, and positions of such officials; and

(m) A statement of whether the electioneering communications organization was formed as a newly created organization during the current calendar quarter or was formed from an organization existing prior to the current calendar quarter. For purposes of this subsection, calendar quarters end the last day of March, June, September, and December.

(4) Any change in information previously submitted in a statement of organization shall be reported to the agency or officer with whom such committee or electioneering communications organization is required to register ~~pursuant to subsection (3)~~, within 10 days following the change.

(7) The Division of Elections shall ~~adopt promulgate~~ rules to prescribe the manner in which ~~inactive~~ committees and electioneering communications organizations may be dissolved and have their registration canceled. Such rules shall, at a minimum, provide for:

(a) Notice which shall contain the facts and conduct which warrant the intended action, including but not limited to failure to file reports and limited activity.

(b) Adequate opportunity to respond.

(c) Appeal of the decision to the Florida Elections Commission. Such appeals shall be exempt from the confidentiality provisions of s. 106.25.

Section 6. Subsection (5) of section 106.04, Florida Statutes, is reenacted to read:

106.04 Committees of continuous existence.—

(5) No committee of continuous existence shall make an electioneering communication, contribute to any candidate or political committee an amount in excess of the limits contained in s. 106.08(1), or participate in any activity which is prohibited by this chapter. If any violation occurs, it shall be punishable as provided in this chapter for the given offense. No funds of a committee of continuous existence shall be expended on behalf of a candidate, except by means of a contribution made through the duly appointed campaign treasurer of a candidate. No such committee shall make expenditures in support of, or in opposition to, an issue unless such committee first registers as a political committee pursuant to this chapter and undertakes all the practices and procedures required thereof; provided such committee may make contributions in a total amount not to exceed 25 percent of its aggregate income, as reflected in the annual report filed for the previous year, to one or more political committees registered pursuant to s. 106.03 and formed to support or oppose issues.

Section 7. Section 106.0703, Florida Statutes, is reenacted and amended to read:

106.0703 Electioneering communications organizations; ~~additional~~ reporting requirements; certification and filing; penalties.—

(1)(a) Each electioneering communications organization shall file regular reports of all contributions received and all expenditures made by or on behalf of the organization. Reports shall be filed on the 10th day following the end of each calendar quarter from the time the organization is registered. However, if the 10th day following the end of a calendar quarter occurs on a Saturday, Sunday, or legal holiday, the report shall be filed on the next following day that is not a Saturday, Sunday, or legal holiday. Quarterly reports shall include all contributions received and expenditures made during the calendar quarter that have not otherwise been reported pursuant to this section.

(b) Following the last day of candidates qualifying for office, the reports shall be filed on the 32nd, 18th, and 4th days immediately preceding the primary election and on the 46th, 32nd, 18th, and 4th days immediately preceding the general election.

(c) When a special election is called to fill a vacancy in office, all electioneering communications organizations making contributions or expenditures to influence the results of the special election shall file reports with the filing officer on the dates set by the Department of State pursuant to s. 100.111.

(d) In addition to the reports required by paragraph (a), an electioneering communications organization that is registered with the Department of State and that makes a contribution or expenditure to influence the results of a county or municipal election that is not being held at the same time as a state or federal election must file reports with the county or municipal filing officer on the same dates as county or municipal candidates or committees for that election. The electioneering communications organization must also include the expenditure in the next report filed with the Division of Elections pursuant to this section following the county or municipal election.

(e) The filing officer shall make available to each electioneering communications organization a schedule designating the beginning and end of reporting periods as well as the corresponding designated due dates.

(2)(a) Except as provided in s. 106.0705, the reports required of an electioneering communications organization shall be filed with the filing officer not later than 5 p.m. of the day designated. However, any report postmarked by the United States Postal Service no later than midnight of the day designated shall be deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service shall be deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an established courier company, which bears a date on or before the date on which the report is due, shall be proof of mailing in a timely manner. Reports shall contain information of all previously unreported contributions received and expenditures made as of the preceding Friday, except that the report filed on the Friday immediately preceding the election shall contain information of all previously unreported contributions received and expenditures made as of the day preceding the designated due date. All such reports shall be open to public inspection.

(b)1. Any report that is deemed to be incomplete by the officer with whom the electioneering communications organization files shall be accepted on a conditional basis. The treasurer of the electioneering communications organization shall be notified, by certified mail or other common carrier that can establish proof of delivery for the notice, as to why the report is incomplete. Within 7 days after receipt of such notice, the treasurer must file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of this chapter.

2. Notice is deemed sufficient upon proof of delivery of written notice to the mailing or street address of the treasurer or registered agent of the electioneering communication organization on record with the filing officer.

(3)(a) Each report required by this section must contain:

1. The full name, address, and occupation, if any, of each person who has made one or more contributions to or for such electioneering communications organization within the reporting period, together with the amount and date of such contributions. For corporations, the report must provide as clear a description as practicable of the principal type of business conducted by the corporation. However, if the contribution is \$100 or less, the occupation of the contributor or the principal type of business need not be listed.

2. The name and address of each political committee from which or to which the reporting electioneering communications organization made any transfer of funds, together with the amounts and dates of all transfers.

3. Each loan for electioneering communication purposes to or from any person or political committee within the reporting period, together with the full names, addresses, and occupations and principal places of business, if any, of the lender and endorers, if any, and the date and amount of such loans.

4. A statement of each contribution, rebate, refund, or other receipt not otherwise listed under subparagraphs 1.-3.

5. The total sums of all loans, in-kind contributions, and other receipts by or for such electioneering communications organization during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

6. The full name and address of each person to whom expenditures have been made by or on behalf of the electioneering communications organization within the reporting period and the amount, date, and purpose of each expenditure.

7. The full name and address of each person to whom an expenditure for personal services, salary, or reimbursement for expenses has been made and that is not otherwise reported, including the amount, date, and purpose of the expenditure.

8. The total sum of expenditures made by the electioneering communications organization during the reporting period.

9. The amount and nature of debts and obligations owed by or to the electioneering communications organization that relate to the conduct of any electioneering communication.

10. Transaction information for each credit card purchase. Receipts for each credit card purchase shall be retained by the electioneering communications organization.

11. The amount and nature of any separate interest-bearing accounts or certificates of deposit and identification of the financial institution in which such accounts or certificates of deposit are located.

12. The primary purposes of an expenditure made indirectly through an electioneering communications organization for goods and services, such as communications media placement or procurement services and other expenditures that include multiple components as part of the expenditure. The primary purpose of an expenditure shall be that purpose, including integral and directly related components, that comprises 80 percent of such expenditure.

(b) The filing officer shall make available to any electioneering communications organization a reporting form which the electioneering communications organization may use to indicate contributions received by the electioneering communications organization but returned to the contributor before deposit.

(4) The treasurer of the electioneering communications organization shall certify as to the correctness of each report, and each person so certifying shall bear the responsibility for the accuracy and veracity of each report. Any treasurer who willfully certifies the correctness of any report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(5) The electioneering communications organization depository shall provide statements reflecting deposits and expenditures from the account to the treasurer, who shall retain the records pursuant to s. 106.06. The records maintained by the depository with respect to the account shall be subject to inspection by an agent of the Division of Elections or the Florida Elections Commission at any time during normal banking hours, and such depository shall furnish certified copies of any such records to the Division of Elections or the Florida Elections Commission upon request.

(6) Notwithstanding any other provisions of this chapter, in any reporting period during which an electioneering communications organization has not received funds, made any contributions, or expended any reportable funds, the treasurer shall file a written report with the filing officer by the prescribed reporting date that no reportable contributions or expenditures were made during the reporting period.

(7)(a) Any electioneering communications organization failing to file a report on the designated due date shall be subject to a fine as provided in paragraph (b) for each late day. The fine shall be assessed by the filing officer and the moneys collected shall be deposited:

1. In the General Revenue Fund, in the case of an electioneering communications organization that registers with the Division of Elections; or

2. In the general revenue fund of the political subdivision, in the case of an electioneering communications organization that registers with an officer of a political subdivision.

No separate fine shall be assessed for failure to file a copy of any report required by this section.

(b) Upon determining that a report is late, the filing officer shall immediately notify the electioneering communications organization as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine shall be \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day.

not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the electioneering communications organization. The filing officer shall determine the amount of the fine due based upon the earliest of the following:

1. When the report is actually received by such officer.
2. When the report is postmarked.
3. When the certificate of mailing is dated.
4. When the receipt from an established courier company is dated.
5. When the electronic receipt issued pursuant to s. 106.0705 or other electronic filing system authorized in this section is dated.

Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due, unless appeal is made to the Florida Elections Commission pursuant to paragraph (c). Notice is deemed sufficient upon proof of delivery of written notice to the mailing or street address on record with the filing officer. An officer or member of an electioneering communications organization shall not be personally liable for such fine.

(c) The treasurer of an electioneering communications organization may appeal or dispute the fine, based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the Florida Elections Commission, which shall have the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in s. 106.265(1) when determining the amount of a fine, if any, to be waived. Any such request shall be made within 20 days after receipt of the notice of payment due. In such case, the treasurer of the electioneering communications organization shall, within the 20-day period, notify the filing officer in writing of his or her intention to bring the matter before the commission.

(d) The appropriate filing officer shall notify the Florida Elections Commission of the repeated late filing by an electioneering communications organization, the failure of an electioneering communications organization to file a report after notice, or the failure to pay the fine imposed. The commission shall investigate only those alleged late filing violations specifically identified by the filing officer and as set forth in the notification. Any other alleged violations must be stated separately and reported by the division to the commission under s. 106.25(2).

(8) In addition to the reporting requirements in s. 106.07, An electioneering communications organization shall, within 2 days after receiving its initial password or secure sign-on from the Department of State allowing confidential access to the department's electronic campaign finance filing system, electronically file the periodic campaign finance reports that would have been required pursuant to this section s. 106.07 for reportable activities that occurred since the date of the last general election.

Section 8. Paragraph (b) of subsection (2) of section 106.0705, Florida Statutes, is reenacted, and subsections (3) and (4) of that section are amended, to read:

106.0705 Electronic filing of campaign treasurer's reports.—

(2)

(b) Each political committee, committee of continuous existence, electioneering communications organization, or state executive committee that is required to file reports with the division under s. 106.04, s. 106.07, s. 106.0703, or s. 106.29, as applicable, must file such reports with the division by means of the division's electronic filing system.

(3) Reports filed pursuant to this section shall be completed and filed through the electronic filing system not later than midnight of the day designated. Reports not filed by midnight of the day designated are late filed and are subject to the penalties under s. 106.04(8), s. 106.07(8), s. 106.0703(7), or s. 106.29(3), as applicable.

(4) Each report filed pursuant to this section is considered to be under oath by the candidate and treasurer, ~~or the chair and treasurer, or the treasurer under s. 106.0703,~~ whichever is applicable, and such persons are subject to the provisions of s. 106.04(4)(d), s. 106.07(5), s. 106.0703(4), or s. 106.29(2), as applicable. Persons given a secure sign-on to the electronic filing system are responsible for protecting such from disclosure and are responsible for all

filings using such credentials, unless they have notified the division that their credentials have been compromised.

Section 9. Subsection (1) of section 106.071, Florida Statutes, is reenacted and amended to read:

106.071 Independent expenditures; electioneering communications; reports; disclaimers.—

(1) Each person who makes an independent expenditure with respect to any candidate or issue, and each individual who makes an expenditure for an electioneering communication which is not otherwise reported pursuant to this chapter, which expenditure, in the aggregate, is in the amount of ~~\$5,000~~ ~~\$400~~ or more, shall file periodic reports of such expenditures in the same manner, at the same time, subject to the same penalties, and with the same officer as a political committee supporting or opposing such candidate or issue. The report shall contain the full name and address of the person making the expenditure; the full name and address of each person to whom and for whom each such expenditure has been made; the amount, date, and purpose of each such expenditure; a description of the services or goods obtained by each such expenditure; the issue to which the expenditure relates; and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made.

Section 10. Subsections (4) and (5) of section 106.08, Florida Statutes, are amended, and subsection (7) of that section is reenacted, to read:

106.08 Contributions; limitations on.—

~~(4)(a)~~ Any contribution received by the chair, campaign treasurer, or deputy campaign treasurer of a political committee supporting or opposing a candidate with opposition in an election or supporting or opposing an issue on the ballot in an election on the day of that election or less than 5 days prior to the day of that election may not be obligated or expended by the committee until after the date of the election.

~~(b) Any contribution received by an electioneering communications organization on the day of an election or less than 5 days prior to the day of that election may not be obligated or expended by the organization until after the date of the election and may not be expended to pay for any obligation arising prior to the election.~~

(5)(a) A person may not make any contribution through or in the name of another, directly or indirectly, in any election.

(b) Candidates, political committees, and political parties may not solicit contributions from any religious, charitable, civic, or other causes or organizations established primarily for the public good.

(c) Candidates, political committees, and political parties may not make contributions, in exchange for political support, to any religious, charitable, civic, or other cause or organization established primarily for the public good. It is not a violation of this paragraph for:

1. A candidate, political committee, or political party executive committee to make gifts of money in lieu of flowers in memory of a deceased person;

2. A candidate to continue membership in, or make regular donations from personal or business funds to, religious, political party, civic, or charitable groups of which the candidate is a member or to which the candidate has been a regular donor for more than 6 months; or

3. A candidate to purchase, with campaign funds, tickets, admission to events, or advertisements from religious, civic, political party, or charitable groups.

~~(d) An electioneering communications organization may not accept a contribution from an organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, other than a political committee, committee of continuous existence, or political party, unless the contributing organization has registered as if the organization were an electioneering communications organization pursuant to s. 106.03 and has filed all campaign finance reports required of electioneering communications organizations pursuant to ss. 106.07 and 106.0703.~~

(7)(a) Any person who knowingly and willfully makes or accepts no more than one contribution in violation of subsection (1) or subsection (5), or any person who knowingly and willfully fails or refuses to return any contribution as required in subsection (3), commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. If any corporation, partnership, or other business entity or any political party, political committee, committee of continuous existence, or electioneering

communications organization is convicted of knowingly and willfully violating any provision punishable under this paragraph, it shall be fined not less than \$1,000 and not more than \$10,000. If it is a domestic entity, it may be ordered dissolved by a court of competent jurisdiction; if it is a foreign or nonresident business entity, its right to do business in this state may be forfeited. Any officer, partner, agent, attorney, or other representative of a corporation, partnership, or other business entity, or of a political party, political committee, committee of continuous existence, electioneering communications organization, or organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, who aids, abets, advises, or participates in a violation of any provision punishable under this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Any person who knowingly and willfully makes or accepts two or more contributions in violation of subsection (1) or subsection (5) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If any corporation, partnership, or other business entity or any political party, political committee, committee of continuous existence, or electioneering communications organization is convicted of knowingly and willfully violating any provision punishable under this paragraph, it shall be fined not less than \$10,000 and not more than \$50,000. If it is a domestic entity, it may be ordered dissolved by a court of competent jurisdiction; if it is a foreign or nonresident business entity, its right to do business in this state may be forfeited. Any officer, partner, agent, attorney, or other representative of a corporation, partnership, or other business entity, or of a political committee, committee of continuous existence, political party, or electioneering communications organization, or organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, who aids, abets, advises, or participates in a violation of any provision punishable under this paragraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 11. Section 106.1437, Florida Statutes, is reenacted to read:

106.1437 Miscellaneous advertisements.—Any advertisement, other than a political advertisement, independent expenditure, or electioneering communication, on billboards, bumper stickers, radio, or television, or in a newspaper, a magazine, or a periodical, intended to influence public policy or the vote of a public official, shall clearly designate the sponsor of such advertisement by including a clearly readable statement of sponsorship. If the advertisement is broadcast on television, the advertisement shall also contain a verbal statement of sponsorship. This section shall not apply to an editorial endorsement.

Section 12. Section 106.1439, Florida Statutes, is reenacted and amended to read:

106.1439 Electioneering communications; disclaimers.—

(1) Any electioneering communication, other than a telephone call, shall prominently state: "Paid electioneering communication paid for by ...(Name and address of person paying for the communication)...."

(2) Any electioneering communication telephone call shall identify the persons or organizations sponsoring the call by stating either: "Paid for by ...(insert name of persons or organizations sponsoring the call)...." or "Paid for on behalf of ...(insert name of persons or organizations authorizing call)...." This subsection does not apply to any telephone call in which the individual making the call is not being paid and the individuals participating in the call know each other prior to the call.

~~(3)(2)~~ Any person who fails to include the disclaimer prescribed in this section in any electioneering communication that is required to contain such disclaimer commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 13. Paragraphs (a) and (e) of subsection (1) of section 106.147, Florida Statutes, are amended to read:

106.147 Telephone solicitation; disclosure requirements; prohibitions; exemptions; penalties.—

(1)(a) Any ~~electioneering communication telephone call or any~~ telephone call supporting or opposing a candidate, elected public official, or ballot proposal must identify the persons or organizations sponsoring the call by stating either: "paid for by ____" (insert name of persons or organizations sponsoring the call) or "paid for on behalf of ____" (insert name of persons

or organizations authorizing call). This paragraph does not apply to any telephone call in which both the individual making the call is not being paid and the individuals participating in the call know each other prior to the call.

~~(e) Any electioneering communication paid for with public funds must include a disclaimer containing the words "paid for by ...(Name of the government entity paying for the communication)...."~~

Section 14. Section 106.17, Florida Statutes, is reenacted to read:

106.17 Polls and surveys relating to candidacies.—Any candidate, political committee, committee of continuous existence, electioneering communication organization, or state or county executive committee of a political party may authorize or conduct a political poll, survey, index, or measurement of any kind relating to candidacy for public office so long as the candidate, political committee, committee of continuous existence, electioneering communication organization, or political party maintains complete jurisdiction over the poll in all its aspects.

Section 15. This act shall take effect upon becoming a law.

TITLE AMENDMENT

Remove the entire title and insert:

A bill to be entitled

An act relating to campaign financing; providing a short title; amending s. 106.143, F.S.; providing an alternative statement that may be used to identify a candidate as the sponsor of a political advertisement under certain circumstances; providing circumstances under which certain campaign messages and political advertisements are not required to state or display specific information regarding the identity of the candidate, his or her party affiliation, and the office sought in the message or advertisement; authorizing a candidate or political committee to place a statement on a social networking website or account indicating that the site or account is an official site or account approved by the candidate or political committee; prohibiting an official designation without the prior approval by the candidate or political committee; amending s. 106.011, F.S.; revising the definition of the term "political committee" to remove certain reporting requirements included in the exclusion of electioneering communications organizations from the definition; revising the definition of the term "filing officer" to expand applicability to electioneering communications organizations; revising the definition of the term "electioneering communication" to conform to certain federal requirements and to delineate what constitutes such a communication; revising the definition of the term "electioneering communications organization"; amending s. 106.03, F.S.; revising the registration requirements for electioneering communications organizations; revising the statement of organization requirements; revising rule adoption requirements relating to dissolution of political committees and electioneering communications organizations; amending s. 106.0703, F.S.; consolidating reporting requirements in ch. 106, F.S., applicable to electioneering communications organizations; providing penalties; conforming provisions; amending s. 106.0705, F.S., relating to electronic filing of campaign treasurer's reports; conforming provisions; amending s. 106.071, F.S.; increasing the aggregate amount of expenditures required for filing certain reports related to independent expenditures or electioneering communications; amending s. 106.08, F.S.; removing certain limitations on contributions received by an electioneering communications organization; amending s. 106.1439, F.S.; providing identification requirements for certain electioneering communications; providing an exception for telephone calls; amending s. 106.147, F.S., relating to telephone solicitation disclosure requirements; removing requirements relating to electioneering communication, to conform; reenacting ss. 106.011(1)(b), (3), (4), (18), and (19), 106.022(1), 106.03(1)(b), 106.04(5), 106.0703, 106.0705(2)(b), 106.071(1), 106.08(7), 106.1437, 106.1439, and 106.17, F.S., relating to definitions, registered office and agent requirements, registration requirements, prohibited activities for committees of continuous existence, additional reporting requirements, electronic filing requirements, expenditure reports, penalties for violations pertaining to limitations on contributions, miscellaneous advertisements, electioneering communications disclaimers

and penalties for failure to include disclaimers, and polls and surveys pertaining to candidacies, to cure and conform; providing an effective date.

Rep. McKeel moved the adoption of the amendment.

Representative Eisnaugle offered the following:

(Amendment Bar Code: 368363)

Amendment 1 to Amendment 1 (with title amendment)—Between lines 656 and 657, insert:

(9) Electioneering communications organizations shall not use credit cards.

TITLE AMENDMENT

Remove line 905 and insert:
providing penalties; conforming provisions; prohibiting the use of credit cards
by electioneering communications organizations; amending s.

Rep. McKeel moved the adoption of the amendment to the amendment, which was adopted.

Representative Hooper offered the following:

(Amendment Bar Code: 619077)

Amendment 2 to Amendment 1 (with title amendment)—Between lines 865 and 866, insert:

Section 15. Section 97.0115, Florida Statutes, is created to read:

97.0115 Preemption.—All matters set forth in Chapters 97-105 are preempted to the state, except as otherwise specifically authorized by state or federal law. The conduct of municipal elections shall be governed by s. 100.3605.

Section 16. Effective upon this act becoming a law, subsections (2) through (43) of section 97.021, Florida Statutes, are renumbered as subsections (3) through (44), respectively, present subsection (22) of that section is amended, and a new subsection (2) is added to that section to read:

97.021 Definitions.—For the purposes of this code, except where the context clearly indicates otherwise, the term:

(2) "Absent uniformed services voter" means:

(a) A member of a uniformed service on active duty who, by reason of such active duty, is absent from the place of residence where the member is otherwise qualified to vote;

(b) A member of the merchant marine who, by reason of service in the merchant marine, is absent from the place of residence where the member is otherwise qualified to vote; or

(c) A spouse or dependent of a member referred to in paragraph (a) or paragraph (b) who, by reason of the active duty or service of the member, is absent from the place of residence where the spouse or dependent is otherwise qualified to vote.

~~(22)~~ "Overseas voter" means:

(a) An absent uniformed services voter who, by reason of active duty or service, is absent from the United States on the date of the election involved Members of the uniformed services while in the active service who are permanent residents of the state and are temporarily residing outside the territorial limits of the United States and the District of Columbia;

(b) A person who resides outside the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States Members of the Merchant Marine of the United States who are permanent residents of the state and are temporarily residing outside the territorial limits of the United States and the District of Columbia; or and

(c) A person who resides outside the United States and, but for such residence, would be qualified to vote in the last place in which the person was domiciled before leaving the United States ~~Other citizens of the United States who are permanent residents of the state and are temporarily residing~~

~~outside the territorial limits of the United States and the District of Columbia,
who are qualified and registered to vote as provided by law.~~

Section 17. Subsection (3) of section 98.0981, Florida Statutes, is amended to read:

98.0981 Reports; voting history; statewide voter registration system information; precinct-level election results; book closing statistics.—

(3) **PRECINCT-LEVEL BOOK CLOSING STATISTICS.**—After the date of book closing but before the date of an election as defined in s. 97.021(11) ~~or s. 97.021(10)~~ to fill a national, state, county, or district office, or to vote on a proposed constitutional amendment, the department shall compile the following precinct-level statistical data for each county:

(a) Precinct numbers.

(b) Total number of active registered voters by party for each precinct.

Section 18. Section 101.111, Florida Statutes, is amended to read:

~~101.111 Voter challenges Person desiring to vote may be challenged; challenger to execute oath; oath of person challenged; determination of challenge.—~~

(1)(a) Any registered elector or poll watcher of a county may challenge the right of a person to vote in that county. The challenge must be in writing and contain the following oath, which shall be delivered to the clerk or inspector:

OATH OF PERSON ENTERING CHALLENGE

State of Florida

County of

I do solemnly swear or affirm that my name is _____; ~~that I am a member of~~
~~the _____ Party;~~ that I am a registered voter or pollwatcher; that my residence
address is _____, ~~in the municipality of _____;~~ and that I have reason to
believe that _____ is attempting to vote illegally and the reasons for my
belief are set forth herein to wit:

...(Signature of person challenging voter)...

Sworn and subscribed to before me this _____ day of _____, ...(year)....

...(Clerk of election)...

(b)1. The clerk or inspector shall immediately deliver to the challenged person a copy of the oath of the person entering the challenge, and the challenged voter shall be allowed to cast a provisional ballot in accordance with s. 101.048, except as provided in subparagraph 2.

2. If the basis for the challenge is that the person's legal residence is not in that precinct, the person shall first be given the opportunity to execute a change of legal residence in order to be able to vote a regular ballot in accordance with s. 101.045(2). If the change of legal residence is such that the person is then properly registered for that precinct, the person shall be allowed to vote a regular ballot. If the change of legal residence places the person in another precinct, the person shall be directed to the proper precinct to vote. If such person insists that he or she is currently in the proper precinct, the person shall be allowed to vote a provisional ballot in accordance with s. 101.048.

(c) Alternatively, a challenge in accordance with this section may be filed in advance with the supervisor of elections no sooner than 30 days before an election. The supervisor shall promptly provide the election board in the challenged voter's precinct with a copy of the oath of the person entering the challenge. The challenged voter shall be allowed to cast a provisional ballot in accordance with s. 101.048, subject to the provisions of subparagraph (b)2.

(2) Any elector or poll watcher filing a frivolous challenge of any person's right to vote commits a felony ~~misdemeanor~~ of the third ~~first~~ degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083, ~~or~~ s. 775.084; however, electors or poll watchers shall not be subject to liability for any action taken in good faith and in furtherance of any activity or duty permitted of such electors or poll watchers by law. Each instance where any elector or poll watcher files a frivolous challenge of any person's right to vote constitutes a separate offense.

Section 19. Effective upon this act becoming a law, subsections (2) and (5) of section 101.5612, Florida Statutes, are amended to read:

101.5612 Testing of tabulating equipment.—

(2) On any day not more than 10 days prior to the commencement of early voting as provided in s. 101.657, the supervisor of elections shall have the automatic tabulating equipment publicly tested to ascertain that the equipment will correctly count the votes cast for all offices and on all measures. If the ballots to be used at the polling place on election day are not available at the time of the testing, the supervisor may conduct an additional test not more than 10 days before election day. Public notice of the time and place of the test shall be given at least 48 hours prior thereto by publication on the supervisor of elections' website and once in one or more newspapers of general circulation in the county or, if there is no newspaper of general circulation in the county, by posting the notice in at least four conspicuous places in the county. The supervisor or the municipal elections official may, at the time of qualifying, give written notice of the time and location of the public preelection test to each candidate qualifying with that office and obtain a signed receipt that the notice has been given. The Department of State shall give written notice to each statewide candidate at the time of qualifying, or immediately at the end of qualifying, that the voting equipment will be tested and advise each candidate to contact the county supervisor of elections as to the time and location of the public preelection test. The supervisor or the municipal elections official shall, at least 15 days prior to the commencement of early voting as provided in s. 101.657, send written notice by certified mail to the county party chair of each political party and to all candidates for other than statewide office whose names appear on the ballot in the county and who did not receive written notification from the supervisor or municipal elections official at the time of qualifying, stating the time and location of the public preelection test of the automatic tabulating equipment. The canvassing board shall convene, and each member of the canvassing board shall certify to the accuracy of the test. For the test, the canvassing board may designate one member to represent it. The test shall be open to representatives of the political parties, the press, and the public. Each political party may designate one person with expertise in the computer field who shall be allowed in the central counting room when all tests are being conducted and when the official votes are being counted. The designee shall not interfere with the normal operation of the canvassing board.

(5) Any tests involving marksense ballots pursuant to this section shall employ test preprinted ballots created by the supervisor of elections using actual ballots that have been printed for the election. ~~If preprinted ballots will be used in the election, and~~ ballot-on-demand ballots will be used in the election, the supervisor shall also create test ballots using the, if ballot-on-demand technology that will be used to produce ballots in the election, using the same paper stock as will be used for ballots in the election or both.

Section 20. Effective upon this act becoming a law, subsections (1), (3), (4), and (5) of section 101.62, Florida Statutes, are amended to read:

101.62 Request for absentee ballots.—

(1)(a) The supervisor shall ~~may~~ accept a request for an absentee ballot from an elector in person or in writing. ~~Except as provided in s. 101.694,~~ One request shall be deemed sufficient to receive an absentee ballot for all elections through the next ~~two~~ regularly scheduled general election elections, unless the elector or the elector's designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor shall ~~may~~ accept a ~~written or telephonic~~ request for an absentee ballot from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian. For purposes of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(b). The person making the request must disclose:

1. The name of the elector for whom the ballot is requested;
2. The elector's address;
3. The elector's date of birth;
4. The requester's name;
5. The requester's address;
6. ~~The requester's driver's license number, if available;~~
- 6.7. The requester's relationship to the elector; ~~and~~
8. ~~The requester's signature (written requests only).~~

(c) Upon receiving a request for an absentee ballot, the supervisor of elections shall notify the voter of the free access system that has been designated by the department for determining the status of his or her absentee ballot.

(3) For each request for an absentee ballot received, the supervisor shall record the date the request was made, the date the absentee ballot was delivered to the voter or the voter's designee or the date the absentee ballot was delivered to the post office or other carrier, the date the ballot was received by the supervisor, and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by rule adopted by the division. The information shall be updated and made available no later than noon of each day beginning the date the first absentee ballots are mailed for the election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from the provisions of s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees or registered committees of continuous existence, for political purposes only.

(4)(a) No later than 45 days before each election, the supervisor of elections shall send an absentee ballot to each absent uniformed services voter and to each overseas voter as provided in subparagraph (b)3. ~~To each absent qualified elector overseas who has requested an absentee ballot, the supervisor of elections shall mail an absentee ballot not less than 35 days before the primary election and not less than 45 days before the general election.~~

(b) The supervisor shall provide an absentee ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's current mailing address on file with the supervisor; ~~unless the elector specifies in the request that:~~

2. By nonforwardable, return-if-undeliverable mail to any address requested by an elector if the request specifies that:

a. The elector is absent from the county and does not plan to return before the day of the election;

b. The elector is temporarily unable to occupy the residence because of hurricane, tornado, flood, fire, or other emergency or natural disaster; or

c. The elector is in a hospital, assisted living facility, nursing home, short-term medical or rehabilitation facility, or correctional facility;

~~in which case the supervisor shall mail the ballot by nonforwardable, return-if-undeliverable mail to any other address the elector specifies in the request.~~

~~3.2.~~ By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters and overseas voters who are entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act. The absent uniformed services voter or overseas voter may designate in the request the preferred method of transmission. If the voter does not designate the method of transmission, the ballot shall be mailed.

~~4.3.~~ By personal delivery before 7 p.m. on election day to the elector, upon presentation of the identification required in s. 101.043.

~~5.4.~~ By delivery to a designee on election day or up to 5 days prior to the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may not pick up more than two absentee ballots per election, other than the designee's own ballot, except that additional ballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the designee's spouse or the parent, child, grandparent, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the

signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

(5) In the event that the department ~~Elections Canvassing Commission~~ is unable to certify ~~candidates for the results of an election for a state office~~ in time for the supervisors to comply with ~~paragraph (4)(a) subsection (4)~~, the Department of State is authorized to prescribe rules for a ballot to be sent to absent ~~uniformed services voters and electors~~ overseas voters.

Section 21. Effective upon this act becoming a law, subsection (1) of section 101.694, Florida Statutes, is amended to read:

101.694 Mailing of ballots upon receipt of federal postcard application.—

(1) Upon receipt of a federal postcard application for an absentee ballot executed by a person whose registration is in order or whose application is sufficient to register or update the registration of that person, the supervisor shall send the ballot in accordance with s. 101.62(4) mail to the applicant a ballot, if the ballots are available for mailing. The federal postcard application request for an absentee ballot shall be effective for all elections through the next two regularly scheduled general elections.

Section 22. Effective upon this act becoming a law, subsection (2) of section 101.71, Florida Statutes, is amended to read:

101.71 Polling place.—

(2) Notwithstanding the provisions of subsection (1), whenever the supervisor of elections of any county determines that the accommodations for holding any election at a polling place designated for any precinct in the county are unavailable, are inadequate for the expeditious and efficient housing and handling of voting and voting paraphernalia, or do not comply with the requirements of s. 101.715, the supervisor shall, not less than 30 days prior to the holding of an election, provide for the voting place for such precinct to be moved to another site that is accessible to the public on election day in said precinct or, if such is not available, to another site that is accessible to the public on election day in a contiguous precinct. If such action of the supervisor results in the voting place for two or more precincts being located for the purposes of an election in one building, the supervisor of elections shall ensure that adequate supplies, equipment, and personnel are available to accommodate the voters for the precincts that are collocated voting places for the several precincts involved shall be established and maintained separate from each other in said building. When any supervisor moves any polling place pursuant to this subsection, the supervisor shall, not more than 30 days or fewer than 7 days prior to the holding of an election, give notice of the change of the polling place for the precinct involved, with clear description of the voting place to which changed, at least once in a newspaper of general circulation in the said county and on the supervisor of elections' website. A notice of the change of the polling place involved shall be mailed, at least 14 days prior to an election, to each registered elector or to each household in which there is a registered elector.

Section 23. Effective upon this act becoming a law, subsection (1) of section 102.012, Florida Statutes, is amended to read:

102.012 Inspectors and clerks to conduct elections.—

(1)(a) The supervisor of elections of each county, at least 20 days prior to the holding of any election, shall appoint an election board comprised of poll workers who serve as clerks or inspectors for each precinct in the county. The clerk shall be in charge of, and responsible for, seeing that the election board carries out its duties and responsibilities. Each inspector and each clerk shall take and subscribe to an oath or affirmation, which shall be written or printed, to the effect that he or she will perform the duties of inspector or clerk of election, respectively, according to law and will endeavor to prevent all fraud, deceit, or abuse in conducting the election. The oath may be taken before an officer authorized to administer oaths or before any of the persons who are to act as inspectors, one of them to swear the others, and one of the others sworn thus, in turn, to administer the oath to the one who has not been sworn. The oaths shall be returned with the poll list and the returns of the election to the supervisor. In all questions that may arise before the members of an election board, the decision of a majority of them shall decide the question. The supervisor of elections of each county shall be responsible for the attendance and diligent performance of his or her duties by each clerk and inspector.

(b) If two or more precincts share the same building and voting place, the supervisor of elections may appoint one election board for the collocated

precincts. The supervisor shall ensure that a sufficient number of poll workers are appointed to adequately handle the processing of the voters in the collocated precincts.

Section 24. Effective upon this act becoming a law, section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(1) The Elections Canvassing Commission shall consist of the Governor and two members of the Cabinet selected by the Governor, all of whom shall serve ex officio. If a member of the ~~Elections Canvassing~~ commission is unable to serve for any reason, the Governor shall appoint a remaining member of the Cabinet. If there is a further vacancy, the remaining members of the commission shall agree on another elected official to fill the vacancy.

(2) The Elections Canvassing Commission shall meet at 9 a.m. on the 9th day after a primary election and at 9 a.m. on the 14th day after a general election to, as soon as the official results are compiled from all counties, certify the returns of the election and determine and declare who has been elected for each federal, state, and multicounty office. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

(3)(2) The Division of Elections shall provide the staff services required by the Elections Canvassing Commission.

Section 25. Effective upon this act becoming a law, subsection (2) of section 102.112, Florida Statutes, is amended to read:

102.112 Deadline for submission of county returns to the Department of State.—

(2) Returns must be filed by 5 p.m. on the 7th day following a primary election and by noon on the 12th day following the general election. However, the Department of State may correct typographical errors, including the transposition of numbers, in any returns submitted to the Department of State pursuant to s. 102.111(2) ~~s. 102.111(4).~~

Section 26. Effective upon this act becoming a law, subsections (2) and (7) of section 102.141, Florida Statutes, are amended to read:

102.141 County canvassing board; duties.—

(2) The county canvassing board shall meet in a building accessible to the public in the county where the election occurred at a time and place to be designated by the supervisor of elections to publicly canvass the absentee electors' ballots as provided for in s. 101.68 and provisional ballots as provided by ss. 101.048, 101.049, and 101.6925. Provisional ballots cast pursuant to s. 101.049 shall be canvassed in a manner that votes for candidates and issues on those ballots can be segregated from other votes. Public notice of the time and place at which the county canvassing board shall meet to canvass the absentee electors' ballots and provisional ballots shall be given at least 48 hours prior thereto by publication on the supervisor of elections' website and once in one or more newspapers of general circulation in the county or, if there is no newspaper of general circulation in the county, by posting such notice in at least four conspicuous places in the county. As soon as the absentee electors' ballots and the provisional ballots are canvassed, the board shall proceed to publicly canvass the vote given each candidate, nominee, constitutional amendment, or other measure submitted to the electorate of the county, as shown by the returns then on file in the office of the supervisor of elections and the office of the county court judge.

(7) If the unofficial returns reflect that a candidate for any office was defeated or eliminated by one-half of a percent or less of the votes cast for such office, that a candidate for retention to a judicial office was retained or not retained by one-half of a percent or less of the votes cast on the question of retention, or that a measure appearing on the ballot was approved or rejected by one-half of a percent or less of the votes cast on such measure, the board responsible for certifying the results of the vote on such race or measure shall order a recount shall be ordered of the votes cast with respect to such office or measure. The Secretary of State ~~Elections Canvassing Commission~~ is the ~~board~~ responsible for ordering recounts in federal, state, and multicounty

~~rac~~ ~~counts~~. The county canvassing board or the local board responsible for certifying the election is responsible for ordering recounts in all other races. A recount need not be ordered with respect to the returns for any office, however, if the candidate or candidates defeated or eliminated from contention for such office by one-half of a percent or less of the votes cast for such office request in writing that a recount not be made.

(a) Each canvassing board responsible for conducting a recount shall put each marksense ballot through automatic tabulating equipment and determine whether the returns correctly reflect the votes cast. If any marksense ballot is physically damaged so that it cannot be properly counted by the automatic tabulating equipment during the recount, a true duplicate shall be made of the damaged ballot pursuant to the procedures in s. 101.5614(5). Immediately before the start of the recount, a test of the tabulating equipment shall be conducted as provided in s. 101.5612. If the test indicates no error, the recount tabulation of the ballots cast shall be presumed correct and such votes shall be canvassed accordingly. If an error is detected, the cause therefor shall be ascertained and corrected and the recount repeated, as necessary. The canvassing board shall immediately report the error, along with the cause of the error and the corrective measures being taken, to the Department of State. No later than 11 days after the election, the canvassing board shall file a separate incident report with the Department of State, detailing the resolution of the matter and identifying any measures that will avoid a future recurrence of the error.

(b) Each canvassing board responsible for conducting a recount where touchscreen ballots were used shall examine the counters on the precinct tabulators to ensure that the total of the returns on the precinct tabulators equals the overall election return. If there is a discrepancy between the overall election return and the counters of the precinct tabulators, the counters of the precinct tabulators shall be presumed correct and such votes shall be canvassed accordingly.

(c) The canvassing board shall submit on forms or in formats provided by the division a second set of unofficial returns to the Department of State for each federal, statewide, state, or multicounty office or ballot measure. The returns shall be filed no later than 3 p.m. on the 5th ~~4th~~ day after any primary election and no later than 3 p.m. on the 9th ~~ninth~~ day after any general election in which a recount was ordered by the Secretary of State ~~conducted pursuant to this subsection~~. If the canvassing board is unable to complete the recount prescribed in this subsection by the deadline, the second set of unofficial returns submitted by the canvassing board shall be identical to the initial unofficial returns and the submission shall also include a detailed explanation of why it was unable to timely complete the recount. However, the canvassing board shall complete the recount prescribed in this subsection, along with any manual recount prescribed in s. 102.166, and certify election returns in accordance with the requirements of this chapter.

(d) The Department of State shall adopt detailed rules prescribing additional recount procedures for each certified voting system, which shall be uniform to the extent practicable.

Section 27. Effective upon this act becoming a law, subsection (1) of section 102.166, Florida Statutes, is amended to read:

102.166 Manual recounts of overvotes and undervotes.—

(1) If the second set of unofficial returns pursuant to s. 102.141 indicates that a candidate for any office was defeated or eliminated by one-quarter of a percent or less of the votes cast for such office, that a candidate for retention to a judicial office was retained or not retained by one-quarter of a percent or less of the votes cast on the question of retention, or that a measure appearing on the ballot was approved or rejected by one-quarter of a percent or less of the votes cast on such measure, ~~the board responsible for certifying the results of the vote on such race or measure shall order~~ a manual recount of the overvotes and undervotes cast in the entire geographic jurisdiction of such office or ballot measure shall be ordered unless: A manual recount may not be ordered, however, if

(a) The candidate or candidates defeated or eliminated from contention by one-quarter of 1 percent or less of the votes cast for such office request in writing that a recount not be made; or

(b) The number of overvotes and undervotes, and provisional ballots is fewer than the number of votes needed to change the outcome of the election.

The Secretary of State is responsible for ordering a manual recount for federal, state, and multicounty races. The county canvassing board or local board responsible for certifying the election is responsible for ordering a manual recount for all other races.

Section 28. Subsection (11) of section 379.352, Florida Statutes, is amended to read:

379.352 Recreational licenses, permits, and authorization numbers to take wild animal life, freshwater aquatic life, and marine life; issuance; costs; reporting.—

(11) When acting in its official capacity pursuant to this section, neither the commission nor a subagent is deemed a third-party registration organization, as defined in s. 97.021(37) ~~s. 97.021(36)~~, or a voter registration agency, as defined in s. 97.021(41) ~~97.021(40)~~, and is not authorized to solicit, accept, or collect voter registration applications or provide voter registration services.

TITLE AMENDMENT

Remove line 929 and insert:

cure and conform; creating s. 97.0115, F.S.; providing that all matters in chapters 97 through 105, F.S., are preempted to the state, unless otherwise specified; amending s. 97.021, F.S.; defining the term "absent uniformed services voter"; revising the definition of the term "overseas voter"; amending s. 98.0981, F.S.; conforming a cross-reference; amending s. 101.111, F.S.; revising voter challenge oath requirements; providing circumstances under which a challenged voter may execute a change of legal residence, be directed to the proper precinct, or vote a provisional ballot; providing increased penalties for filing a frivolous voter challenge; amending s. 101.5612, F.S.; requiring the supervisor of elections to publish on his or her website a notice of testing of tabulating equipment; requiring the use of certain ballots and technology for preelection testing of tabulating equipment; amending s. 101.62, F.S.; revising the supervisor of elections' responsibilities for the request and transmittal of absentee ballots; revising the time an absentee ballot request is valid; authorizing the Department of State to prescribe rules for a ballot to be sent to uniformed services voters and overseas voters; amending s. 101.694, F.S.; requiring the supervisor of elections to send an absentee ballot to certain electors within a specified time; deleting a requirement that an absentee ballot be mailed; deleting a provision establishing that a federal postcard application request is valid through two general election cycles; amending s. 101.71, F.S.; requiring the supervisor of elections to ensure the provision of adequate supplies, equipment, and personnel when precincts are collocated; requiring the supervisor of elections to publish the relocation of a polling place on his or her website; amending s. 102.012, F.S.; allowing the supervisor of elections to appoint one election board for collocated precincts and requiring the appointment of adequate personnel for the collocated precincts; amending s. 102.111, F.S.; clarifying that the Governor and Cabinet members shall serve ex officio on the Elections Canvassing Commission; establishing meeting times for the commission; amending s. 102.112, F.S.; conforming a cross-reference; amending s. 102.141, F.S.; requiring the supervisor of elections to publish on his or her website notice of the time for canvassing absentee and provisional ballots; providing circumstances under which the Secretary of State, county canvassing board, or local board is responsible for ordering recounts in elections; specifying the time for filing returns for elections in which a recount was ordered; amending s. 102.166, F.S.; providing circumstances under which the Secretary of State, county canvassing board, or local board is responsible for ordering a manual recount of overvotes and undervotes; amending s. 379.352, F.S.; conforming a cross-reference; providing an effective date.

Rep. Hooper moved the adoption of the amendment to the amendment. Subsequently, **Amendment 2 to Amendment 1** was withdrawn.

Representative Saunders offered the following:

(Amendment Bar Code: 106265)

Amendment 3 to Amendment 1—Remove lines 528-530 and insert:

10. A copy of each credit card statement which shall be included in the next report following receipt thereof by the electioneering communications organization. Receipts for each credit card purchase shall be retained by the electioneering communications organization.

Rep. Saunders moved the adoption of the amendment to the amendment. Subsequently, **Amendment 3 to Amendment 1** was withdrawn.

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 1195—A bill to be entitled An act relating to road and bridge designations; designating the Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge in Pinellas County; directing the Department of Transportation to erect markers; providing an effective date.

—was read the second time by title.

On motion by Rep. Adkins, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Adkins offered the following:

(Amendment Bar Code: 426121)

Amendment 1 (with title amendment)—Between lines 20 and 21, insert: Section 2. Verna Bell Way designated; Department of Transportation to erect suitable markers.—

(1) That portion of State Road 200 between Lime Street and Beech Street in the City of Fernandina Beach in Nassau County is designated as "Verna Bell Way."

(2) The Department of Transportation is directed to erect suitable markers designating Verna Bell Way as described in subsection (1).

TITLE AMENDMENT

Between lines 4 and 5, insert:
designating Verna Bell Way in Nassau County;

Rep. Adkins moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 7213—A bill to be entitled An act relating to capital formation for infrastructure projects; amending ss. 288.9621, 288.9622, and 288.9623, F.S.; conforming a short title, revising legislative findings and intent, and providing definitions for the Florida Capital Formation Act; conforming cross-references; creating s. 288.9627, F.S.; providing for creation of the Florida Infrastructure Fund Partnership; providing the partnership's purpose and duties; providing for management of the partnership by the Florida Opportunity Fund; authorizing the fund to lend moneys to the partnership; requiring the partnership to raise funds from investment partners; providing for commitment agreements with and issuance of certificates to investment partners; authorizing the partnership to invest in certain infrastructure projects; requiring the partnership to submit an annual report to the Governor and Legislature; prohibiting the partnership and the fund from pledging the credit or taxing power of the state or its political subdivisions; prohibiting the partnership from investing in projects with or accepting investments from certain companies; creating s. 288.9628, F.S.; creating the Florida Infrastructure Investment Trust; providing for powers and duties, a board of trustees, and an administrative officer of the trust; providing for the trust's issuance of certificates to investment partners who invest in the partnership; specifying that the certificates are redeemable for tax credits under certain conditions; authorizing the trust to charge fees; limiting the amount of tax

credits issued and the amount of tax credits that may be claimed or applied against state taxes in any year; providing for the redemption or sale of certificates; providing for the issuance of the tax credits by the Department of Revenue; specifying the taxes against which the credits may be applied; limiting the period within which tax credits may be used; providing for the state's obligation for use of the tax credits; limiting the liability of the fund; requiring the department to provide a certain written assurance to the trust under certain circumstances; specifying that certain provisions regulating securities transactions do not apply to certificates and tax credits transferred or sold under the act; amending s. 213.053, F.S.; authorizing the department to provide tax credit information to the partnership and the trust; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 31—A bill to be entitled An act relating to public education; creating s. 1003.4505, F.S.; prohibiting district school boards, administrative personnel, and instructional personnel from taking affirmative action that infringes or waives the rights or freedoms afforded by the First Amendment to the United States Constitution in the absence of certain consent; providing an effective date.

—was read the second time by title.

Representative Fetterman offered the following:

(Amendment Bar Code: 248945)

Amendment 1—Remove line 22 and insert:
would be impacted by such infringement or waiver. Nothing in this section shall be construed to permit school-sanctioned prayer.

Rep. Fetterman moved the adoption of the amendment. Subsequently, **Amendment 1** was withdrawn.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 633—A bill to be entitled An act relating to human trafficking; creating s. 480.0535, F.S.; specifying documents that must be possessed by each person providing or offering to provide massage services in certain circumstances; requiring presentation of such documents upon request of a law enforcement officer; requiring operators of massage establishments to maintain valid work authorization documents on the premises for each employee who is not a United States citizen; requiring presentation of such documents upon request of a law enforcement officer; prohibiting a person from providing or offering to provide massage services without possession of a license and specified documentation; prohibiting the use of a massage establishment license for the purpose of lewdness, assignation, or prostitution; providing criminal penalties; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Motion

Rep. Galvano moved that the House advance to the order of business of House Resolutions and take up **HR 9097**. The motion was agreed to.

House Resolutions

HR 9097—A resolution recognizing 2011 as the "Centennial Year of U.S. Naval Aviation."

WHEREAS, on January 26, 1911, Glenn H. Curtiss conducted the first successful demonstration of a sea plane in San Diego Harbor, thus affirming the application of airplanes for naval purposes, and

WHEREAS, on May 8, 1911, Capt. Washington Irving Chambers prepared a requisition for the purchase of the U.S. Navy's first aircraft, and this date would later be designated as the birthday of U.S. Naval aviation, and

WHEREAS, during the first century of naval aviation, numerous milestones have been observed, including the birth of Marine Corps aviation on May 22, 1912; the commission of the U.S. Navy's first aircraft carrier, the USS Langley, in 1922; the first takeoff from, and landing on, a U.S. Navy aircraft carrier, also in 1922; and, in 1942, the first naval engagement in which ships of the opposing forces were not in sight of each other, and

WHEREAS, on February 20, 1962, Lt. Col. John H. Glenn, Jr., USMC, became the first American to orbit the earth, and

WHEREAS, on July 20, 1969, former naval aviator Neil Armstrong became the first American to set foot on the surface of the moon, and

WHEREAS, on February 22, 1974, Lt. j.g. Barbara Ann Allen (Rainey) became the first female naval aviator in our nation's history, and

WHEREAS, among the many milestones that have marked the first century of U.S. Naval aviation, a number of significant achievements within the State of Florida have had considerable impact, both nationwide as well as statewide, and

WHEREAS, Florida is home to four Naval air stations, NAS Pensacola, NAS Whiting Field in Milton, NAS Key West, and NAS Jacksonville, with Jacksonville also being the home to Naval Station Mayport, which supports air operations, and

WHEREAS, on April 23, 1940, Naval Air Station (NAS) Jacksonville became the only military installation in the United States that was given as a gift from the people to the United States government, and

WHEREAS, the gift of NAS Jacksonville was followed by the official commissioning of the naval air station on October 15, 1940, and

WHEREAS, NAS Jacksonville was the original home of the Navy's Blue Angels flight demonstration team, who performed their first show at Craig Field in Jacksonville on June 15, 1946, and

WHEREAS, NAS Jacksonville also became the home of the Naval Air Advanced Training Command, and

WHEREAS, in 1914, the Pensacola Navy yard was officially changed from a naval yard to a naval air station, thus becoming the first naval air station in the U.S. Navy and the primary training facility for all naval aviators and enlisted aircrew personnel, and

WHEREAS, in 1954, NAS Pensacola became the new home of the Navy's Blue Angels, and

WHEREAS, in July 1943, NAS Whiting Field opened as a training facility to fulfill the need for pilot training commands in World War II, and

WHEREAS, today NAS Whiting Field is responsible for an estimated 46 percent of the Chief of Naval Air Command's total flight time and over 10 percent of the Navy's and the Marine Corps' total flight time, and

WHEREAS, every year an estimated 1,200 personnel complete their essential flight training at NAS Whiting Field on their way to becoming naval pilots, and

WHEREAS, on October 21, 1948, Jesse Brown became the U.S. Navy's first African-American pilot when he was awarded his wings at NAS Jacksonville, and

WHEREAS, it is with great pride and sense of accomplishment that the citizens of the State of Florida join with all citizens of the United States in recognizing 2011 as the "Centennial Year of U.S. Naval Aviation," NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives of the State of Florida recognizes 2011 as the "Centennial Year of U.S. Naval Aviation."

—was read the second time by title. On motion by Rep. Carroll, the resolution was adopted and, under Rule 11.7(h), immediately certified to the Senate.

On motion by Rep. Carroll, the board was opened [Session Vote Sequence: 864] and the following members were recorded as cosponsors of the resolution, along with Rep. Carroll: Reps. Abruzzo, Adams, Adkins, Ambler,

Anderson, Bembry, Bernard, Bogdanoff, Bovo, Boyd, Brandenburg, Braynon, Brisé, Bullard, Burgin, Bush, Cannon, Chestnut, Clarke-Reed, Cretul, Cruz, Dorworth, Drake, Eisnagle, Evers, Fetterman, Fitzgerald, Flores, Ford, Frishe, Gaetz, Galvano, Garcia, Gibbons, Gibson, Glorioso, Gonzalez, Grady, Grimsley, Hasner, Hays, Heller, Holder, Homan, Hooper, Homer, Jenne, Jones, Kelly, Kiar, Kreegel, Kriseman, Legg, Llorente, Long, Lopez-Cantera, Mayfield, McBurney, McKeel, Murzin, Nehr, Nelson, O'Toole, Pafford, Patronis, Patterson, Plakon, Poppell, Porth, Precourt, Proctor, Rader, Ray, Reagan, Reed, Rehwinkel Vasilinda, Renuart, Rivera, K. Roberson, Y. Roberson, Rogers, Sachs, Sands, Saunders, Schenck, Schultz, Schwartz, Skidmore, Snyder, Soto, Stargel, Steinberg, Taylor, G. Thompson, N. Thompson, Thurston, Tobia, Troutman, Van Zant, Waldman, Weatherford, Weinstein, A. Williams, Wood, Workman, and Zapata.

Motion

Rep. Galvano moved that the House revert to the order of business of Special Orders. The motion was agreed to.

Special Orders

CS/CS/HB 1411—A bill to be entitled An act relating to foreclosures; amending s. 721.07, F.S.; providing lien disclosure requirements for filed public offering statements for certain timeshare plans; amending s. 721.13, F.S.; requiring officers, directors, and agents of a timeshare owners' association to act in good faith; providing for damages; providing exceptions; amending s. 721.16, F.S.; authorizing a managing entity to bring a judicial action or a trustee procedure to foreclose certain liens under specified conditions; revising when a lien is effective; renaming part III of chapter 721, F.S., to conform to changes made by this act; amending s. 721.81, F.S.; revising and providing legislative purposes of the part; amending s. 721.82 F.S.; revising and providing definitions; amending s. 721.83, F.S., relating to consolidation of foreclosure actions; clarifying application to judicial foreclosure actions; amending s. 721.85, F.S., relating to service to notice address or on registered agent; conforming provisions to changes made by this act; creating s. 721.855, F.S.; establishing procedure for the trustee foreclosure of assessment liens; providing for the appointment of a trustee; providing recording requirements for such liens; providing procedures for the initiation of a trustee foreclosure procedure against a timeshare interest; providing procedures for an obligor's objection to the trustee foreclosure procedure; providing conditions to a trustee's exercise of power of sale; providing requirements for a notice of default and intent to sell; providing requirements for a notice of sale; providing requirements for the sale by auction of foreclosed encumbered timeshare interests; providing requirements for a trustee's certificate of compliance; providing for the effect of a trustee's sale; providing requirements for a trustee's deed; providing for the disposition of proceeds of the sale; providing that the trustee foreclosure procedure does not impair or otherwise affect the right to bring certain actions; providing application; providing for actions for failure to follow the trustee foreclosure procedure; creating s. 721.856, F.S.; establishing procedure for the trustee foreclosure of mortgage liens; providing for the appointment of a trustee; providing recording requirements for such liens; providing procedures for the initiation of a trustee foreclosure procedure against a timeshare interest; providing procedures for an obligor's objection to the trustee foreclosure procedure; providing conditions to a trustee's exercise of power of sale; providing requirements for a notice of default and intent to sell; providing requirements for a notice of sale; providing requirements for the sale by auction of foreclosed encumbered timeshare interests; providing requirements for a trustee's certificate of compliance; providing for the effect of a trustee's sale; providing requirements for a trustee's deed; providing for the disposition of proceeds of the sale; providing that the trustee foreclosure procedure does not impair or otherwise affect the right to bring certain actions; providing for actions for failure to follow the trustee foreclosure procedure; amending s. 721.86, F.S.; providing for priority of application in case of conflict; conforming terminology to changes made by this act; amending s. 721.20, F.S.; revising exemptions from certain licensing

requirements; amending s. 727.113, F.S.; providing for calculation of deficiency judgments related to an assignment for the benefit of creditors when the property is abandoned to the mortgagee; providing applicability to pending cases; providing an effective date.

—was read the second time by title.

Representative Dorworth offered the following:

(Amendment Bar Code: 495573)

Amendment 1 (with title amendment)—Remove lines 810-813 and insert:

PROCEDURE.—

(a) An action for actual damages for a material violation of this section may be brought by an obligor against the lienholder for the failure to follow the trustee foreclosure procedure contained in this section.

(b) Any trustee who intentionally violates the provisions of this section concerning the trustee foreclosure procedure commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

TITLE AMENDMENT

Remove line 40 and insert:

procedure; providing a criminal penalty; creating s. 721.856, F.S.; establishing

Rep. Dorworth moved the adoption of the amendment.

Representative Dorworth offered the following:

(Amendment Bar Code: 197765)

Substitute Amendment 1 (with title amendment)—Remove lines 810-1278 and insert:

PROCEDURE.—

(a) An action for actual damages for a material violation of this section may be brought by an obligor against the lienholder for the failure to follow the trustee foreclosure procedure contained in this section.

(b) Any trustee who intentionally violates the provisions of this section concerning the trustee foreclosure procedure commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 10. Section 721.856, Florida Statutes, is created to read:

721.856 Procedure for the trustee foreclosure of mortgage liens.—The provisions of this section establish a trustee foreclosure procedure for mortgage liens.

(1) APPOINTMENT OF TRUSTEE.—

(a) A trustee or a substitute trustee may be appointed by a lienholder at any time by recording a notice of appointment of trustee or notice of substitution of trustee in the official records of the county or counties in which the timeshare interest is located. A lienholder may appoint multiple trustees in a single appointment, and any appointed trustee may be used by the lienholder regarding the trustee foreclosure of any mortgage lien.

(b) A trustee shall use good faith, skill, care, and diligence in discharging all of the trustee duties under this section and shall deal honestly and fairly with all parties.

(c) The recorded notice of appointment of trustee or notice of substitution of trustee shall contain the name and address of the trustee or substitute trustee, the name and address of the lienholder, and the name and address of the timeshare plan.

(2) INITIATING THE TRUSTEE FORECLOSURE OF MORTGAGE LIENS.—

(a) Before initiating the trustee foreclosure against a timeshare interest, the mortgage, or an amendment to a mortgage executed by the obligor before the effective date of this section, must contain a statement in substantially the following form:

If the mortgagor fails to make timely payments under the obligation secured by this mortgage, or is otherwise deemed in uncured default of this mortgage, the lien against the mortgagor's timeshare interest created by this mortgage may be foreclosed in accordance with either a judicial foreclosure procedure or a trustee foreclosure procedure and may result in the loss of your timeshare interest. If the mortgagee initiates a trustee foreclosure procedure, the mortgagor shall have the option to object and the mortgagee may proceed only by filing a judicial foreclosure action.

(b)1. In order to initiate a trustee foreclosure procedure against a timeshare interest, the lienholder shall deliver an affidavit to the trustee that identifies the obligor, the notice address of the obligor, the timeshare interest, the official records book and page number where the mortgage is recorded, and the name and notice address of any junior interestholder. The affidavit shall be accompanied by a title search of the timeshare interest identifying any junior interestholders of record, and the effective date of the title search must be a date that is within 60 calendar days before the date of the affidavit.

2. The affidavit shall also state the facts that establish that the obligor has defaulted in the obligation to make a payment under a specified provision of the mortgage or is otherwise deemed in uncured default under a specified provision of the mortgage.

3. The affidavit shall also specify the amounts secured by the lien as of the date of the affidavit and a per diem amount to account for further accrual of the amounts secured by the lien.

4. The affidavit shall also state that the appropriate amount of documentary stamp tax and intangible taxes has been paid upon recording of the mortgage, or otherwise paid to the state.

5. The affidavit shall also state that the lienholder is the holder of the note and has complied with all preconditions in the note and mortgage to determine the amounts secured by the lien and to initiate the use of the trustee foreclosure procedure. (3) **OBLIGOR'S RIGHTS.—**

(a) The obligor may object to the lienholder's use of the trustee foreclosure procedure for a specific default any time before the sale of the timeshare interest under subsection (7) by delivering a written objection to the trustee using the objection form provided for in subsection (5). If the trustee receives the written objection from the obligor, the trustee may not proceed with the trustee foreclosure procedure as to the default specified in the notice of default and intent to foreclose under subsection (5), and the lienholder may proceed thereafter only with a judicial foreclosure action as to that specified default.

(b) At any time before the trustee issues the certificate of sale under paragraph (7)(f), the obligor may cure the default and redeem the timeshare interest by paying the amounts secured by the lien in cash or certified funds to the trustee. After the trustee issues the certificate of sale, there is no right of redemption.

(4) **CONDITIONS TO TRUSTEE'S EXERCISE OF POWER OF SALE.—**A trustee may sell an encumbered timeshare interest foreclosed under this section if:

(a) The trustee has received the affidavit from the lienholder under paragraph (2)(b);

(b) The trustee has not received a written objection to the use of the trustee foreclosure procedure under paragraph (3)(a) and the timeshare interest was not redeemed under paragraph (3)(b);

(c) There is no lis pendens recorded and pending against the same timeshare interest, and the trustee has not been served notice of the filing of any action to enjoin the trustee foreclosure sale;

(d) The trustee is in possession of the original promissory note executed by the mortgagor and secured by the mortgage lien;

(e) The trustee has provided written notice of default and intent to foreclose as required under subsection (5) and a period of at least 30 calendar days has elapsed after such notice is deemed perfected under subsection (5); and

(f) The notice of sale required under subsection (6) has been recorded in the official records of the county in which the mortgage was recorded.

(5) **NOTICE OF DEFAULT AND INTENT TO FORECLOSE.—**

(a) In any foreclosure proceeding under this section, the trustee is required to notify the obligor of the proceeding by sending the obligor a written notice of default and intent to foreclose to the notice address of the obligor by certified mail, registered mail, or permitted delivery service, return receipt requested, and by first-class mail or permitted delivery service, postage prepaid, as follows:

1. The notice of default and intent to foreclose shall identify the obligor, the notice address of the obligor, the legal description of the timeshare interest, the nature of the default, the amounts secured by the lien, and a per diem amount to account for further accrual of the amounts secured by the lien and shall state the method by which the obligor may cure the default, including the period of time after the date of the notice of default and intent to foreclose within which the obligor may cure the default.

2. The notice of default and intent to foreclose shall include an objection form with which the obligor can object to the use of the trustee foreclosure procedure by signing and returning the objection form to the trustee. The objection form shall identify the obligor, the notice address of the obligor, the timeshare interest, and the return address of the trustee and shall state: "The undersigned obligor exercises the obligor's right to object to the use of the trustee foreclosure procedure contained in section 721.856, Florida Statutes."

3. The notice of default and intent to foreclose shall also contain a statement in substantially the following form:

If you fail to cure the default as set forth in this notice or take other appropriate action with regard to this foreclosure matter, you risk losing ownership of your timeshare interest through the trustee foreclosure procedure established in section 721.856, Florida Statutes. You may choose to sign and send to the trustee the enclosed objection form, exercising your right to object to the use of the trustee foreclosure procedure. Upon the trustee's receipt of your signed objection form, the foreclosure of the lien with respect to the default specified in this notice shall be subject to the judicial foreclosure procedure only. You have the right to cure your default in the manner set forth in this notice at any time before the trustee's sale of your timeshare interest. If you do not object to the use of the trustee foreclosure procedure, you will not be subject to a deficiency judgment even if the proceeds from the sale of your timeshare interest are insufficient to offset the amounts secured by the lien.

4. The trustee shall also mail a copy of the notice of default and intent to foreclose, without the objection form, to the notice address of any junior interestholder by certified mail, registered mail, or permitted delivery service, return receipt requested, and by first-class mail or permitted delivery service, postage prepaid.

5. Notice under this paragraph is considered perfected upon the trustee receiving the return receipt bearing the signature of the obligor or junior interestholder, as applicable, within 30 calendar days after the trustee sent the notice under this paragraph. Notice under this paragraph is not perfected if the notice is returned as undeliverable within 30 calendar days after the trustee sent the notice, if the trustee cannot ascertain from the receipt that the obligor or junior interestholder, as applicable, is the person who signed the receipt, or if the receipt from the obligor or junior interestholder, as applicable, is returned or refused within 30 calendar days after the trustee sent the notice.

(b) If the notice required by paragraph (a) is returned as undeliverable within 30 calendar days after the trustee sent the notice, the trustee shall perform a diligent search and inquiry to obtain a different address for the obligor or junior interestholder. For purposes of this paragraph, any address known and used by the lienholder for sending regular mailings or other communications from the lienholder to the obligor or junior interestholder, as applicable, shall be included with other addresses produced from the diligent search and inquiry, if any.

1. If the trustee's diligent search and inquiry produces an address different from the notice address, the trustee shall mail a copy of the notice by certified mail, registered mail, or permitted delivery service, return receipt requested, and by first-class mail or permitted delivery service, postage prepaid, to the new address. Notice under this subparagraph is considered perfected upon

the trustee receiving the return receipt bearing the signature of the obligor or junior interestholder, as applicable, within 30 calendar days after the trustee sent the notice under this subparagraph. Notice under this subparagraph is not perfected if the trustee cannot ascertain from the receipt that the obligor or junior interestholder, as applicable, is the person who signed the receipt or the receipt from the obligor or junior interestholder, as applicable, is returned refused. If the trustee does not perfect notice under this subparagraph, the trustee shall perfect service in the manner set forth in paragraph (c).

2. If the trustee's diligent search and inquiry does not locate a different address for the obligor or junior interestholder, as applicable, the trustee may perfect notice against that person under paragraph (c).

(c) If the notice is not perfected under subparagraph (a)5., and such notice was not returned as undeliverable, or if the notice was not perfected under subparagraph (b)1., the trustee may perfect notice by publication in a newspaper of general circulation in the county or counties in which the timeshare interest is located. The notice shall appear at least once a week for 2 consecutive weeks. The trustee may group an unlimited number of notices in the same publication, if all of the notices pertain to the same timeshare plan. Notice under this paragraph is considered perfected upon publication as required in this paragraph.

(d) If notice is perfected under subparagraph (a)5., the trustee shall execute an affidavit in recordable form setting forth the manner in which notice was perfected and attach the affidavit to the certificate of compliance set forth in subsection (9). The affidavit shall state the nature of the notice, the date on which the notice was mailed, the name and address on the envelope containing the notice, the manner in which the notice was mailed, and the basis for that knowledge.

(e) If notice is perfected under subparagraph (b)1., the trustee shall execute an affidavit in recordable form setting forth the manner in which notice was perfected and attach the affidavit to the certificate of compliance set forth in subsection (9). The affidavit shall state the nature of the notice, the dates on which the notice was mailed, the name and addresses on the envelopes containing the notice, the manner in which the notice was mailed, the fact that a signed receipt from the certified mail, registered mail, or permitted delivery service was timely received, and the name and address on the envelopes containing the notice.

(f) If notice is perfected under paragraph (c), the trustee shall execute an affidavit in recordable form setting forth the manner in which notice was perfected and attach the affidavit to the certificate of compliance set forth in subsection (9). The affidavit shall include all the information contained in either paragraph (d) or paragraph (e), as applicable, shall state that the notice was perfected by publication after diligent search and inquiry was made for the current address for the person, shall include a statement that notice was perfected by publication, and shall set forth the information required by s. 49.041 in the case of a natural person or s. 49.051 in the case of a corporation, whichever is applicable. No other action of the trustee is necessary to perfect notice.

(6) NOTICE OF SALE.—

(a) The notice of sale shall set forth:

1. The name and notice addresses of the obligor and any junior interestholder.

2. The legal description of the timeshare interest.

3. The name and address of the trustee.

4. A description of the default that is the basis for the foreclosure.

5. The official records book and page numbers where the mortgage is recorded.

6. The amounts secured by the lien and a per diem amount to account for further accrual of the amounts secured by the lien.

7. The date, location, and starting time of the trustee's sale.

8. The right of and the method by which the obligor may cure the default or the right of any junior interestholder to redeem its interest up to the date the trustee issues the certificate of sale in accordance with paragraph (7)(f).

(b) The trustee shall send a copy of the notice of sale within 3 business days after the date it is submitted for recording, by first-class mail or permitted delivery service, postage prepaid, to the notice addresses of the obligor and any junior interestholder.

(c) After the date of recording of the notice of sale, notice is not required to be given to any person claiming an interest in the timeshare interest except as provided in this section. The recording of the notice of sale has the same force and effect as the filing of a lis pendens in a judicial proceeding under s. 48.23.

(d)1. The trustee shall publish the notice of sale in a newspaper of general circulation in the county or counties in which the timeshare interest is located at least once a week for 2 consecutive weeks before the date of the sale. The last publication shall occur at least 5 calendar days before the sale.

2. The trustee may group an unlimited number of notices of sale in the same publication, if all of the notices of sale pertain to the same timeshare plan.

(7) MANNER OF SALE.—

(a) The sale of a timeshare interest by the trustee in a public auction shall be held in the county in which the timeshare interest is located, on the date, location, and starting time designated in the notice of sale, which shall be after 9:00 a.m. but before 4:00 p.m. on a business day not less than 30 calendar days after the recording of the notice of sale. The trustee's sale may occur online at a specific website on the Internet or in any other manner used by the clerk of the court for a judicial foreclosure sales procedure in the county or counties in which the timeshare interest is located.

(b) The trustee shall conduct the sale and act as the auctioneer.

(c) The lienholder and any person other than the trustee may bid at the sale. In lieu of participating in the sale, the lienholder may send the trustee written bidding instructions that the trustee shall announce as appropriate during the sale.

(d) The trustee may postpone the sale from time to time. In such case, notice of postponement must be given by the trustee at the date, time, and location contained in the notice of sale. The notice of sale for the postponed sale shall be mailed under paragraph (6)(b), recorded under paragraph (4)(f), and published under paragraph (6)(d). The effective date of the initial notice of sale under paragraph (6)(b) is not affected by a postponed sale.

(e) The highest bidder of the timeshare interest shall pay the price bid to the trustee in cash or certified funds on the day of the sale. If the lienholder is the highest bidder, the lienholder shall receive a credit up to the amount set forth in the notice of sale as required under subparagraph (6)(a)6.

(f) On the date of the sale and upon receipt of the cash or certified funds due from the highest bidder, the trustee shall issue to the highest bidder a certificate of sale stating that a foreclosure conforming to the requirements of this section has occurred, including the time, location, and date of the sale, that the timeshare interest was sold, the amounts secured by the lien, and the amount of the highest bid. A copy of the certificate of sale shall be mailed by certified mail, registered mail, or permitted delivery service, return receipt requested, to all persons entitled to receive a notice of sale under subsection (6).

(g) Before a sale conducted pursuant to this subsection, a junior interestholder may pursue adjudication by court, by interpleader, or in any other authorized manner respecting any matter that is disputed by the junior interestholder.

(8) EFFECT OF TRUSTEE'S SALE.—

(a) A sale conducted under subsection (7) forecloses and terminates all interests of any person with notice to whom notice is given under paragraph (4)(e) and paragraph (6)(b), and of any other person claiming interests by, through, or under any such person, in the affected timeshare interest. A failure to give notice to any person entitled to notice does not affect the validity of the sale as to the interests of any person properly notified. A person entitled to notice but not given notice has the rights of a person not made a defendant in a judicial foreclosure.

(b) On the issuance of a certificate of sale under paragraph (7)(f), all rights of redemption that have been foreclosed under this section shall terminate.

(c) A sale conducted under subsection (7) releases the obligor's liability for all amounts secured by the lien. The lienholder has no right to any deficiency judgment against the obligor after a sale of the obligor's timeshare interest under this section.

(d) The issuance and recording of the trustee's deed is presumed valid and may be relied upon by third parties without actual knowledge of any irregularities in the foreclosure proceedings. If for any reason there is an irregularity in the foreclosure proceedings, a purchaser becomes subrogated

to all the rights of the lienholder to the indebtedness that it secured to the extent necessary to reforeclose the mortgage lien in order to correct the irregularity and becomes entitled to an action de novo for the foreclosure of such mortgage lien. Any subsequent reforeclosure required to correct an irregularity may be conducted under this section.

(9) TRUSTEE'S CERTIFICATE OF COMPLIANCE.—

(a) Within 10 calendar days after the trustee conducts a sale, the trustee shall execute and acknowledge a certificate of compliance which:

1. Confirms delivery of the notice of default and intent to foreclose and attaches the affidavit required under subsection (5).

2. States that the default was not cured, that the trustee did not receive any written objection under paragraph (3)(a), and that the timeshare interest was not redeemed under paragraph (3)(b).

3. States that the trustee is in possession of the original promissory note executed by the mortgagor and secured by the mortgage lien.

4. Confirms that the notice of sale was published as required under paragraph (6)(d) and attaches an affidavit of publication for the notice of sale.

5. Confirms that the notice of sale was mailed under paragraph (6)(b) together with a list of the parties to whom the notice of sale was mailed.

(b) In furtherance of the execution of the certificate of compliance required under this subsection, the trustee is entitled to rely upon an affidavit or certification from the lienholder as to the facts and circumstances of default and failure to cure the default.

(10) TRUSTEE'S DEED.—

(a) The trustee's deed shall include the name and address of the trustee, the name and address of the highest bidder, the name of the former owner, a legal description of the timeshare interest, and the name and address of the preparer of the trustee's deed. The trustee's deed shall recite that the certificate of compliance was recorded and shall contain no warranties of title from the trustee. The certificate of compliance shall be attached as an exhibit to the trustee's deed.

(b) Ten calendar days after a sale, absent the prior filing and service on the trustee of a judicial action to enjoin issuance of the trustee's deed to the timeshare interest, the trustee shall:

1. Cancel the original promissory note executed by the mortgagor and secured by the mortgage lien.

2. Issue a trustee's deed to the highest bidder.

3. Record the trustee's deed in the official records of the county or counties in which the timeshare interest is located.

(c)1. The certificate of compliance and trustee's deed together are presumptive evidence of the truth of the matters set forth in them, and an action to set aside the sale and void the trustee's deed may not be filed or otherwise pursued against any person acquiring the timeshare interest for value.

2. The trustee's deed conveys to the highest bidder all rights, title, and interest in the timeshare interest that the former owner had, or had the power to convey, together with all rights, title, and interest that the former owner or his or her successors in interest acquired after the execution of the mortgage.

3. The issuance and recording of a trustee's deed shall have the same force and effect as the issuance and recording of a certificate of title by the clerk of the court in a judicial foreclosure action.

(11) DISPOSITION OF PROCEEDS OF SALE.—

(a) The trustee shall apply the proceeds of the sale as follows:

1. To the expenses of the sale, including compensation of the trustee.

2. To the amount owed and set forth in the notice as required under subparagraph (6)(a)6.

3. If there are junior interestholders, the trustee may file an action in interpleader, pay the surplus to a court of competent jurisdiction, name the competing junior interestholders, and ask the court to determine the proper distribution of the surplus. In any interpleader action, the trustee shall recover reasonable attorney's fees and costs.

4. If there are no junior interestholders, or if all junior interestholders have been paid, any surplus shall be paid to the former owner. If the trustee is unable to locate the former owner within 1 year after the sale, the surplus, if any, shall be deposited with the Chief Financial Officer under chapter 717.

(b) In disposing of the proceeds of the sale, the trustee may rely on the information provided in the affidavit of the lienholder under paragraph (2)(b)

and, in the event of a dispute or uncertainty over such claims, the trustee has the discretion to submit the matter to adjudication by court, by interpleader, or in any other authorized manner and shall recover reasonable attorney's fees and costs.

(12) JUDICIAL FORECLOSURE ACTIONS.—The trustee foreclosure procedure established in this section does not impair or otherwise affect the lienholder's continuing right to bring a judicial foreclosure action, in lieu of using the trustee foreclosure procedure, with respect to any mortgage lien.

(13) ACTIONS FOR FAILURE TO FOLLOW THE TRUSTEE FORECLOSURE PROCEDURE.—

(a) An action for actual damages for a material violation of this section may be brought by an obligor against the lienholder for the failure to follow the trustee foreclosure procedure contained in this section.

(b) Any trustee who intentionally violates the provisions of this section concerning the trustee foreclosure procedure commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

TITLE AMENDMENT

Remove lines 40-59 and insert:

procedure; providing a criminal penalty; creating s. 721.856, F.S.; establishing procedure for the trustee foreclosure of mortgage liens; providing for the appointment of a trustee; providing recording requirements for such liens; providing procedures for the initiation of a trustee foreclosure procedure against a timeshare interest; providing procedures for an obligor's objection to the trustee foreclosure procedure; providing conditions to a trustee's exercise of power of sale; providing requirements for a notice of default and intent to sell; providing requirements for a notice of sale; providing requirements for the sale by auction of foreclosed encumbered timeshare interests; providing requirements for a trustee's certificate of compliance; providing for the effect of a trustee's sale; providing requirements for a trustee's deed; providing for the disposition of proceeds of the sale; providing that the trustee foreclosure procedure does not impair or otherwise affect the right to bring certain actions; providing for actions for failure to follow the trustee foreclosure procedure; providing a criminal penalty; amending s.

Rep. Dorworth moved the adoption of the substitute amendment, which was adopted.

Representative Dorworth offered the following:

(Amendment Bar Code: 434641)

Amendment 2 (with title amendment)—Remove lines 1305-1315

TITLE AMENDMENT

Remove lines 63-67 and insert:

from certain licensing requirements; providing an effective

Rep. Dorworth moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HR 1613—A resolution supporting Taiwan's meaningful participation in organizations and conventions of the United Nations and other international entities.

WHEREAS, April 10, 2010, will mark the 31st anniversary of the enactment of the Taiwan Relations Act, and

WHEREAS, the Taiwan Relations Act continues to be instrumental in maintaining peace, security, and stability in the Taiwan Strait since its enactment in 1979, and

WHEREAS, Florida maintains a vested interest in relations between the United States and Taiwan as a sister state of the Province of Taiwan, and

WHEREAS, Taiwan is an active member in the international community with a long-standing commitment to international health and humanitarian aid, and

WHEREAS, Taiwan is a key air transport hub that connects Northeast Asia and Southeast Asia, serves more than 1.3 million flights, and carries over 35 million passengers every year, and

WHEREAS, as an island state in the Pacific Ocean, Taiwan faces the serious problem of rising sea levels and the ravages of extreme weather such as cyclones and has unique contributions to make in the discussion on climate change, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives supports Taiwan's meaningful participation in organizations and conventions of the United Nations and other international entities, such as the World Health Organization, the International Civil Aviation Organization, and the United Nations Framework Convention on Climate Change.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the Taipei Economic and Cultural Office in Miami as a tangible token of the sentiments expressed herein.

—was read the second time by title. On motion by Rep. Lopez-Cantera, the resolution was adopted.

On motion by Rep. Lopez-Cantera, the board was opened [Session Vote Sequence: 865] and the following members were recorded as cosponsors of the resolution, along with Rep. Lopez-Cantera: Reps. Adams, Adkins, Ambler, Anderson, Aubuchon, Bembry, Bernard, Bogdanoff, Bovo, Boyd, Brandenburg, Braynon, Brisé, Bullard, Burgin, Bush, Cannon, Carroll, Chestnut, Clarke-Reed, Cretul, Crisafulli, Cruz, Dorworth, Drake, Eisnaugle, Evers, Fetterman, Fitzgerald, Ford, Fresen, Frishe, Galvano, Gibbons, Gibson, Glorioso, Gonzalez, Grady, Grimsley, Hasner, Hays, Heller, Holder, Homan, Hooper, Horner, Jenne, Jones, Kelly, Kiar, Kreegel, Kriseman, Llorente, Long, Mayfield, McBurney, McKeel, Murzin, Nehr, Nelson, O'Toole, Pafford, Patronis, Patterson, Plakon, Poppell, Porth, Precourt, Proctor, Rader, Ray, Reagan, Reed, Rehwinkel Vasilinda, Renuart, Rivera, Robaina, K. Roberson, Y. Roberson, Sachs, Sands, Saunders, Schenck, Schultz, Schwartz, Skidmore, Snyder, Soto, Stargel, Steinberg, Taylor, G. Thompson, N. Thompson, Thurston, Tobia, Troutman, Van Zant, Waldman, Weatherford, Weinstein, A. Williams, Wood, Workman, and Zapata.

CS/HB 7205—A bill to be entitled An act relating to professional sports franchises; amending ss. 14.2015, 212.20, and 218.64, F.S., relating to the Office of Tourism, Trade, and Economic Development, the distribution of certain tax proceeds, and the allocation of a portion of the local government half-cent sales tax; conforming provisions to changes made by the act; conforming cross-references; amending s. 288.1162, F.S.; deleting provisions relating to the certification and funding of facilities for spring training baseball franchises; authorizing the Auditor General to conduct audits to verify whether certain funds for professional sports franchises are used as required by law; requiring the Auditor General to notify the Department of Revenue if the funds are not used as required by law; creating s. 288.11621, F.S.; authorizing certain units of local government and private entities to apply for certification to receive state funding for a facility for a spring training franchise; providing definitions; providing eligibility requirements; providing criteria to competitively evaluate applications for certification; requiring a certified applicant to use the funds awarded for specified public purposes and place unexpended funds in a trust fund or separate account; authorizing a certified applicant to request a suspension of the distribution of funds for a specified period under certain circumstances; requiring the expenditure of funds by certain certified applicants within a specified period; requiring the completion of certain spring training facility projects within a specified period; requiring certified applicants to submit annual reports to the Office of Tourism, Trade, and Economic Development; requiring a contract for receipt of funds by certified applicants that are private entities; providing contract requirements; requiring the office to decertify applicants under certain

circumstances; providing for delay in decertification proceedings for local governments certified before a specified date under certain circumstances; providing for review of the office's notice of intent to decertify an applicant; requiring an applicant to repay unencumbered state funds and interest after decertification; requiring the office to develop a strategic plan relating to baseball spring training activities; requiring the office to adopt rules; authorizing the Auditor General to conduct audits to verify whether certified funds for baseball spring training facilities are used as required by law; requiring the Auditor General to notify the Department of Revenue if the funds are not used as required by law; amending s. 288.1229, F.S.; providing that the Office of Tourism, Trade, and Economic Development may authorize a direct-support organization to assist in the retention of professional sports franchises; recognizing the validity of specified agreements under certain circumstances; providing an effective date.

—was read the second time by title.

Representative Schenck offered the following:

(Amendment Bar Code: 302041)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (f) of subsection (2) of section 14.2015, Florida Statutes, is amended to read:

14.2015 Office of Tourism, Trade, and Economic Development; creation; powers and duties.—

(2) The purpose of the Office of Tourism, Trade, and Economic Development is to assist the Governor in working with the Legislature, state agencies, business leaders, and economic development professionals to formulate and implement coherent and consistent policies and strategies designed to provide economic opportunities for all Floridians. To accomplish such purposes, the Office of Tourism, Trade, and Economic Development shall:

(f)1. Administer the Florida Enterprise Zone Act under ss. 290.001-290.016, the community contribution tax credit program under ss. 220.183 and 624.5105, the tax refund program for qualified target industry businesses under s. 288.106, the tax-refund program for qualified defense contractors and space flight business contractors under s. 288.1045, contracts for transportation projects under s. 288.063, the sports franchise facility programs ~~program~~ under ss. 288.1162 and 288.11621 ~~s. 288.1162~~, the professional golf hall of fame facility program under s. 288.1168, the expedited permitting process under s. 403.973, the Rural Community Development Revolving Loan Fund under s. 288.065, the Regional Rural Development Grants Program under s. 288.018, the Certified Capital Company Act under s. 288.99, the Florida State Rural Development Council, the Rural Economic Development Initiative, and other programs that are specifically assigned to the office by law, by the appropriations process, or by the Governor. Notwithstanding any other provisions of law, the office may expend interest earned from the investment of program funds deposited in the Grants and Donations Trust Fund to contract for the administration of the programs, or portions of the programs, enumerated in this paragraph or assigned to the office by law, by the appropriations process, or by the Governor. Such expenditures shall be subject to review under chapter 216.

2. The office may enter into contracts in connection with the fulfillment of its duties concerning the Florida First Business Bond Pool under chapter 159, tax incentives under chapters 212 and 220, tax incentives under the Certified Capital Company Act in chapter 288, foreign offices under chapter 288, the Enterprise Zone program under chapter 290, the Seaport Employment Training program under chapter 311, the Florida Professional Sports Team License Plates under chapter 320, Spaceport Florida under chapter 331, Expedited Permitting under chapter 403, and in carrying out other functions that are specifically assigned to the office by law, by the appropriations process, or by the Governor.

Section 2. Paragraph (d) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this chapter and s. 202.18(1)(b) and (2)(b) shall be as follows:

(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be distributed as follows:

1. In any fiscal year, the greater of \$500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5.2 percent of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in monthly installments into the General Revenue Fund.

2. After the distribution under subparagraph 1., 8.814 percent of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 shall be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to be transferred shall be reduced by 0.1 percent, and the department shall distribute this amount to the Public Employees Relations Commission Trust Fund less \$5,000 each month, which shall be added to the amount calculated in subparagraph 3. and distributed accordingly.

3. After the distribution under subparagraphs 1. and 2., 0.095 percent shall be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund and distributed pursuant to s. 218.65.

4. After the distributions under subparagraphs 1., 2., and 3., 2.0440 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

5. After the distributions under subparagraphs 1., 2., and 3., 1.3409 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Municipalities pursuant to s. 218.215. If the total revenue to be distributed pursuant to this subparagraph is at least as great as the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, no municipality shall receive less than the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000. If the total proceeds to be distributed are less than the amount received in combination from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, each municipality shall receive an amount proportionate to the amount it was due in state fiscal year 1999-2000.

6. Of the remaining proceeds:

a. In each fiscal year, the sum of \$29,915,500 shall be divided into as many equal parts as there are counties in the state, and one part shall be distributed to each county. The distribution among the several counties must begin each fiscal year on or before January 5th and continue monthly for a total of 4 months. If a local or special law required that any moneys accruing to a county in fiscal year 1999-2000 under the then-existing provisions of s. 550.135 be paid directly to the district school board, special district, or a municipal government, such payment must continue until the local or special law is amended or repealed. The state covenants with holders of bonds or other instruments of indebtedness issued by local governments, special districts, or district school boards before July 1, 2000, that it is not the intent of this subparagraph to adversely affect the rights of those holders or relieve local governments, special districts, or district school boards of the duty to meet their obligations as a result of previous pledges or assignments or trusts entered into which obligated funds received from the distribution to county governments under then-existing s. 550.135. This distribution specifically is in lieu of funds distributed under s. 550.135 before July 1, 2000.

b. The department shall distribute \$166,667 monthly pursuant to s. 288.1162 to each applicant ~~that has been~~ certified as a facility for a new or retained professional sports franchise ~~"facility for a new professional sports franchise" or a "facility for a retained professional sports franchise"~~ pursuant to s. 288.1162. Up to \$41,667 shall be distributed monthly by the department to each certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. ~~that has been certified as a "facility for a retained spring training franchise" pursuant to s. 288.1162;~~ However, not more than \$416,670 may be distributed monthly in the aggregate to all certified

applicants for facilities for a retained spring training franchises franchise. Distributions must begin 60 days after following such certification and shall continue for not more than 30 years, except as otherwise provided in s. 288.11621. A certified applicant identified in this sub-subparagraph may not ~~This paragraph may not be construed to allow an applicant certified pursuant to s. 288.1162 to receive more in distributions than actually expended by the applicant for the public purposes provided for in s. 288.1162(5) or s. 288.11621(3) s. 288.1162(6).~~

c. Beginning 30 days after notice by the Office of Tourism, Trade, and Economic Development to the Department of Revenue that an applicant has been certified as the professional golf hall of fame pursuant to s. 288.1168 and is open to the public, \$166,667 shall be distributed monthly, for up to 300 months, to the applicant.

d. Beginning 30 days after notice by the Office of Tourism, Trade, and Economic Development to the Department of Revenue that the applicant has been certified as the International Game Fish Association World Center facility pursuant to s. 288.1169, and the facility is open to the public, \$83,333 shall be distributed monthly, for up to 168 months, to the applicant. This distribution is subject to reduction pursuant to s. 288.1169. A lump sum payment of \$999,996 shall be made, after certification and before July 1, 2000.

7. All other proceeds must remain in the General Revenue Fund.

Section 3. Section 218.64, Florida Statutes, is amended to read:

218.64 Local government half-cent sales tax; uses; limitations.—

(1) The proportion of the local government half-cent sales tax received by a county government based on two-thirds of the incorporated area population shall be deemed countywide revenues and shall be expended only for countywide tax relief or countywide programs. The remaining county government portion shall be deemed county revenues derived on behalf of the unincorporated area but may be expended on a countywide basis.

(2) Municipalities shall expend their portions of the local government half-cent sales tax only for municipality-wide programs or for municipality-wide property tax or municipal utility tax relief. All utility tax rate reductions afforded by participation in the local government half-cent sales tax shall be applied uniformly across all types of taxed utility services.

(3) Subject to ordinances enacted by the majority of the members of the county governing authority and by the majority of the members of the governing authorities of municipalities representing at least 50 percent of the municipal population of such county, counties may use up to \$2 million annually of the local government half-cent sales tax allocated to that county for funding for any of the following applicants:

(a) A certified applicant as a facility for a new or retained professional sports franchise under ~~"facility for a new professional sports franchise," a "facility for a retained professional sports franchise," or a "facility for a retained spring training franchise," as provided for in s. 288.1162 or a certified applicant as defined in s. 288.11621 for a facility for a spring training franchise.~~ It is the Legislature's intent that the provisions of s. 288.1162, including, but not limited to, the evaluation process by the Office of Tourism, Trade, and Economic Development except for the limitation on the number of certified applicants or facilities as provided in that section and the restrictions set forth in ~~s. 288.1162(8) s. 288.1162(9),~~ shall apply to an applicant's facility to be funded by local government as provided in this subsection.

(b) A certified applicant as a "motorsport entertainment complex," as provided for in s. 288.1171. Funding for each franchise or motorsport complex shall begin 60 days after certification and shall continue for not more than 30 years.

(4) A local government is authorized to pledge proceeds of the local government half-cent sales tax for the payment of principal and interest on any capital project.

Section 4. Section 288.1162, Florida Statutes, is amended to read:

288.1162 Professional sports franchises; ~~spring training franchises;~~ duties.—

(1) The Office of Tourism, Trade, and Economic Development shall serve as the state agency for screening applicants for state funding under pursuant to s. 212.20 and for certifying an applicant as a facility for a new or retained professional sports franchise. ~~"facility for a new professional sports~~

~~franchise," a "facility for a retained professional sports franchise," or a "facility for a retained spring training franchise."~~

(2) The Office of Tourism, Trade, and Economic Development shall develop rules for the receipt and processing of applications for funding under pursuant to s. 212.20.

(3) As used in this section, the term:

(a) "New professional sports franchise" means a professional sports franchise that ~~was~~ is not based in this state ~~before prior to~~ April 1, 1987.

(b) "Retained professional sports franchise" means a professional sports franchise that has had a league-authorized location in this state on or before December 31, 1976, and has continuously remained at that location, and has never been located at a facility that has been previously certified under any provision of this section.

(4) ~~Before Prior to~~ certifying an applicant as a facility for a new or retained professional sports franchise, "facility for a new professional sports franchise" or a "facility for a retained professional sports franchise," the Office of Tourism, Trade, and Economic Development must determine that:

(a) A "unit of local government" as defined in s. 218.369 is responsible for the construction, management, or operation of the professional sports franchise facility or holds title to the property on which the professional sports franchise facility is located.

(b) The applicant has a verified copy of a signed agreement with a new professional sports franchise for the use of the facility for a term of at least 10 years, or in the case of a retained professional sports franchise, an agreement for use of the facility for a term of at least 20 years.

(c) The applicant has a verified copy of the approval from the governing authority of the league in which the new professional sports franchise exists authorizing the location of the professional sports franchise in this state after April 1, 1987, or in the case of a retained professional sports franchise, verified evidence that it has had a league-authorized location in this state on or before December 31, 1976. As used in this section, the term "league" means the National League or the American League of Major League Baseball, the National Basketball Association, the National Football League, or the National Hockey League.

(d) The applicant has projections, verified by the Office of Tourism, Trade, and Economic Development, which demonstrate that the new or retained professional sports franchise will attract a paid attendance of more than 300,000 annually.

(e) The applicant has an independent analysis or study, verified by the Office of Tourism, Trade, and Economic Development, which demonstrates that the amount of the revenues generated by the taxes imposed under chapter 212 with respect to the use and operation of the professional sports franchise facility will equal or exceed \$2 million annually.

(f) The municipality in which the facility for a new or retained professional sports franchise is located, or the county if the facility for a new or retained professional sports franchise is located in an unincorporated area, has certified by resolution after a public hearing that the application serves a public purpose.

(g) The applicant has demonstrated that it has provided, is capable of providing, or has financial or other commitments to provide more than one-half of the costs incurred or related to the improvement and development of the facility.

(h) ~~An No~~ applicant previously certified under any provision of this section who has received funding under such certification is not shall be eligible for an additional certification.

~~(5)(a) As used in this section, the term "retained spring training franchise" means a spring training franchise that has been based in this state prior to January 1, 2000.~~

~~(b) Prior to certifying an applicant as a "facility for a retained spring training franchise," the Office of Tourism, Trade, and Economic Development must determine that:~~

~~1. A "unit of local government" as defined in s. 218.369 is responsible for the acquisition, construction, management, or operation of the facility for a retained spring training franchise or holds title to the property on which the facility for a retained spring training franchise is located.~~

2. The applicant has a verified copy of a signed agreement with a retained spring training franchise for the use of the facility for a term of at least 15 years.

3. The applicant has a financial commitment to provide 50 percent or more of the funds required by an agreement for the acquisition, construction, or renovation of the facility for a retained spring training franchise. The agreement can be contingent upon the awarding of funds under this section and other conditions precedent to use by the spring training franchise.

4. The applicant has projections, verified by the Office of Tourism, Trade, and Economic Development, which demonstrate that the facility for a retained spring training franchise will attract a paid attendance of at least 50,000 annually.

5. The facility for a retained spring training franchise is located in a county that is levying a tourist development tax pursuant to s. 125.0104.

(e)1. The Office of Tourism, Trade, and Economic Development shall competitively evaluate applications for funding of a facility for a retained spring training franchise. Applications must be submitted by October 1, 2000, with certifications to be made by January 1, 2001. If the number of applicants exceeds five and the aggregate funding request of all applications exceeds \$208,335 per month, the office shall rank the applications according to a selection criteria, certifying the highest ranked proposals. The evaluation criteria shall include, with priority given in descending order to the following items:

a. The intended use of the funds by the applicant, with priority given to the construction of a new facility.

b. The length of time that the existing franchise has been located in the state, with priority given to retaining franchises that have been in the same location the longest.

c. The length of time that a facility to be used by a retained spring training franchise has been used by one or more spring training franchises, with priority given to a facility that has been in continuous use as a facility for spring training the longest.

d. For those teams leasing a spring training facility from a unit of local government, the remaining time on the lease for facilities used by the spring training franchise, with priority given to the shortest time period remaining on the lease.

e. The duration of the future use agreement with the retained spring training franchise, with priority given to the future use agreement having the longest duration.

f. The amount of the local match, with priority given to the largest percentage of local match proposed.

g. The net increase of total active recreation space owned by the applying unit of local government following the acquisition of land for the spring training facility, with priority given to the largest percentage increase of total active recreation space.

h. The location of the facility in a brownfield, an enterprise zone, a community redevelopment area, or other area of targeted development or revitalization included in an Urban Infill Redevelopment Plan, with priority given to facilities located in these areas.

i. The projections on paid attendance attracted by the facility and the proposed effect on the economy of the local community, with priority given to the highest projected paid attendance.

2. Beginning July 1, 2006, the Office of Tourism, Trade, and Economic Development shall competitively evaluate applications for funding of facilities for retained spring training franchises in addition to those certified and funded under subparagraph 1. An applicant that is a unit of government that has an agreement for a retained spring training franchise for 15 or more years which was entered into between July 1, 2003, and July 1, 2004, shall be eligible for funding. Applications must be submitted by October 1, 2006, with certifications to be made by January 1, 2007. The office shall rank the applications according to selection criteria, certifying no more than five proposals. The aggregate funding request of all applicants certified shall not exceed an aggregate funding request of \$208,335 per month. The evaluation criteria shall include the following, with priority given in descending order:

a. The intended use of the funds by the applicant for acquisition or construction of a new facility.

b. The intended use of the funds by the applicant to renovate a facility.

e. The length of time that a facility to be used by a retained spring training franchise has been used by one or more spring training franchises, with priority given to a facility that has been in continuous use as a facility for spring training the longest.

d. For those teams leasing a spring training facility from a unit of local government, the remaining time on the lease for facilities used by the spring training franchise, with priority given to the shortest time period remaining on the lease. For consideration under this subparagraph, the remaining time on the lease shall not exceed 5 years, unless an agreement of 15 years or more was entered into between July 1, 2003, and July 1, 2004.

e. The duration of the future use agreement with the retained spring training franchise, with priority given to the future use agreement having the longest duration.

f. The amount of the local match, with priority given to the largest percentage of local match proposed.

g. The net increase of total active recreation space owned by the applying unit of local government following the acquisition of land for the spring training facility, with priority given to the largest percentage increase of total active recreation space.

h. The location of the facility in a brownfield area, an enterprise zone, a community redevelopment area, or another area of targeted development or revitalization included in an urban infill redevelopment plan, with priority given to facilities located in those areas.

i. The projections on paid attendance attracted by the facility and the proposed effect on the economy of the local community, with priority given to the highest projected paid attendance.

(d) Funds may not be expended to subsidize privately owned and maintained facilities for use by the spring training franchise. Funds may be used to relocate a retained spring training franchise to another unit of local government only if the existing unit of local government with the retained spring training franchise agrees to the relocation.

(5)(6) An applicant certified as a facility for a new or retained professional sports franchise or a facility for a retained professional sports franchise or as a facility for a retained spring training franchise may use funds provided under pursuant to s. 212.20 only for the public purpose of paying for the acquisition, construction, reconstruction, or renovation of a facility for a new or retained professional sports franchise, a facility for a retained professional sports franchise, or a facility for a retained spring training franchise or to pay or pledge for the payment of debt service on, or to fund debt service reserve funds, arbitrage rebate obligations, or other amounts payable with respect to, bonds issued for the acquisition, construction, reconstruction, or renovation of such facility or for the reimbursement of such costs or the refinancing of bonds issued for such purposes.

(6)(7)(a) The Office of Tourism, Trade, and Economic Development shall notify the Department of Revenue of any facility certified as a facility for a new or retained professional sports franchise or a facility for a retained professional sports franchise or as a facility for a retained spring training franchise. The Office of Tourism, Trade, and Economic Development shall certify no more than eight facilities as facilities for a new professional sports franchise or as facilities for a retained professional sports franchise, including in the such total any facilities certified by the former Department of Commerce before July 1, 1996. The number of facilities certified as a retained spring training franchise shall be as provided in subsection (5). The office may make no more than one certification for any facility. The office may not certify funding for less than the requested amount to any applicant certified as a facility for a retained spring training franchise.

(b) The eighth certification of an applicant under this section as a facility for a new or retained professional sports franchise or a facility for a retained professional sports franchise shall be for a franchise that is a member of the National Basketball Association, has been located within the state since 1987, and has not been previously certified. This paragraph is repealed July 1, 2010.

(7)(8) The Auditor General Department of Revenue may conduct audits audit as provided in s. 11.45 s. 213.34 to verify that the distributions under pursuant to this section are have been expended as required in this section. Such information is subject to the confidentiality requirements of chapter 213. If the Auditor General Department of Revenue determines that the distributions under pursuant to this section are have not been expended as

required by this section, the Auditor General shall notify the Department of Revenue, which it may pursue recovery of the such funds under pursuant to the laws and rules governing the assessment of taxes.

~~(8)(9)~~ An applicant is not qualified for certification under this section if the franchise formed the basis for a previous certification, unless the previous certification was withdrawn by the facility or invalidated by the Office of Tourism, Trade, and Economic Development or the former Department of Commerce before any funds were distributed under pursuant to s. 212.20. This subsection does not disqualify an applicant if the previous certification occurred between May 23, 1993, and May 25, 1993; however, any funds to be distributed under pursuant to s. 212.20 for the second certification shall be offset by the amount distributed to the previous certified facility. Distribution of funds for the second certification shall not be made until all amounts payable for the first certification are have been distributed.

Section 5. Section 288.11621, Florida Statutes, is created to read:

288.11621 Spring training baseball franchises.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Agreement" means a certified, signed lease between an applicant that applies for certification on or after July 1, 2010, and the spring training franchise for the use of a facility.

(b) "Applicant" means a unit of local government as defined in s. 218.369, including local governments located in the same county that have partnered with a certified applicant before the effective date of this section or with an applicant for a new certification, for purposes of sharing in the responsibilities of a facility.

(c) "Certified applicant" means a facility for a spring training franchise that was certified before July 1, 2010, under s. 288.1162(5), Florida Statutes 2009, or a unit of local government that is certified under this section.

(d) "Facility" means a spring training stadium, playing fields, and apertences intended to support spring training activities.

(e) "Local funds" and "local matching funds" mean funds provided by a county, municipality, or other local government.

(f) "Office" means the Office of Tourism, Trade, and Economic Development.

(2) CERTIFICATION PROCESS.—

(a) Before certifying an applicant to receive state funding for a facility for a spring training franchise, the office must verify that:

1. The applicant is responsible for the acquisition, construction, management, or operation of the facility for a spring training franchise or holds title to the property on which the facility for a spring training franchise is located.

2. The applicant has a certified copy of a signed agreement with a spring training franchise for the use of the facility for a term of at least 20 years. The agreement also must require the franchise to reimburse the state for state funds expended by an applicant under this section if the franchise relocates before the agreement expires. The agreement may be contingent on an award of funds under this section and other conditions precedent.

3. The applicant has made a financial commitment to provide 50 percent or more of the funds required by an agreement for the acquisition, construction, or renovation of the facility for a spring training franchise. The commitment may be contingent upon an award of funds under this section and other conditions precedent.

4. The applicant demonstrates that the facility for a spring training franchise will attract a paid attendance of at least 50,000 annually to the spring training games.

5. The facility for a spring training franchise is located in a county that levies a tourist development tax under s. 125.0104.

(b) The office shall competitively evaluate applications for state funding of a facility for a spring training franchise. The total number of certifications may not exceed 10 at any time. The evaluation criteria must include, with priority given in descending order to, the following items:

1. The anticipated effect on the economy of the local community where the spring training facility is to be built, including projections on paid attendance, local and state tax collections generated by spring training games, and direct and indirect job creation resulting from the spring training activities. Priority shall be given to applicants who can demonstrate the largest projected economic impact.

2. The amount of the local matching funds committed to a facility relative to the amount of state funding sought, with priority given to applicants that commit the largest amount of local matching funds relative to the amount of state funding sought.

3. The potential for the facility to serve multiple uses.

4. The intended use of the funds by the applicant, with priority given to the funds being used to acquire a facility, construct a new facility, or renovate an existing facility.

5. The length of time that a spring training franchise has been under an agreement to conduct spring training activities within an applicant's geographic location or jurisdiction, with priority given to applicants having agreements with the same franchise for the longest period of time.

6. The length of time that an applicant's facility has been used by one or more spring training franchises, with priority given to applicants whose facilities have been in continuous use as facilities for spring training the longest.

7. The term remaining on a lease between an applicant and a spring training franchise for a facility, with priority given to applicants having the shortest lease terms remaining.

8. The length of time that a spring training franchise agrees to use an applicant's facility if an application is granted under this section, with priority given to applicants having agreements for the longest future use.

9. The net increase of total active recreation space owned by the applicant after an acquisition of land for the facility, with priority given to applicants having the largest percentage increase of total active recreation space that will be available for public use.

10. The location of the facility in a brownfield, an enterprise zone, a community redevelopment area, or other area of targeted development or revitalization included in an urban infill redevelopment plan, with priority given to applicants having facilities located in these areas.

(c) Each applicant certified on or after July 1, 2010, shall enter into an agreement with the office that:

1. Specifies the amount of the state incentive funding to be distributed.

2. States the criteria that the certified applicant must meet in order to remain certified.

3. States that the certified applicant is subject to decertification if the certified applicant fails to comply with this section or the agreement.

4. States that the office may recover state incentive funds if the certified applicant is decertified.

5. Specifies information that the certified applicant must report to the office.

6. Includes any provision deemed prudent by the office.

(3) USE OF FUNDS.—

(a) A certified applicant may use funds provided under s. 212.20(6)(d)6.b. only to:

1. Serve the public purpose of acquiring, constructing, reconstructing, or renovating a facility for a spring training franchise.

2. Pay or pledge for the payment of debt service on, or to fund debt service reserve funds, arbitrage rebate obligations, or other amounts payable with respect thereto, bonds issued for the acquisition, construction, reconstruction, or renovation of such facility, or for the reimbursement of such costs or the refinancing of bonds issued for such purposes.

3. Assist in the relocation of a spring training franchise from one unit of local government to another only if the governing board of the current host local government by a majority vote agrees to relocation.

(b) State funds awarded to a certified applicant for a facility for a spring training franchise may not be used to subsidize facilities that are privately owned, maintained, and used only by a spring training franchise.

(c) The Department of Revenue may not distribute funds to an applicant certified on or after July 1, 2010, until it receives notice from the office that the certified applicant has encumbered funds under subparagraph (a)2.

(d)1. All certified applicants must place unexpended state funds received pursuant to s. 212.20(6)(d)6.b. in a trust fund or separate account for use only as authorized in this section.

2. A certified applicant may request that the Department of Revenue suspend further distributions of state funds made available under s. 212.20(6)(d)6.b. for 12 months after expiration of an existing agreement with

a spring training franchise to provide the certified applicant with an opportunity to enter into a new agreement with a spring training franchise, at which time the distributions shall resume.

3. The expenditure of state funds distributed to an applicant certified before July 1, 2010, must begin within 48 months after the initial receipt of the state funds. In addition, the construction of, or capital improvements to, a spring training facility must be completed within 24 months after the project's commencement.

(4) ANNUAL REPORTS.—On or before September 1 of each year, a certified applicant shall submit to the office a report that includes, but is not limited to:

(a) A copy of its most recent annual audit.

(b) A detailed report on all local and state funds expended to date on the project being financed under this section.

(c) A copy of the contract between the certified local governmental entity and the spring training team.

(d) A cost-benefit analysis of the team's impact on the community.

(e) Evidence that the certified applicant continues to meet the criteria in effect when the applicant was certified.

(5) DECERTIFICATION.—

(a) The office shall decertify a certified applicant upon the request of the certified applicant.

(b) The office shall decertify a certified applicant if the certified applicant does not:

1. Have a valid agreement with a spring training franchise;

2. Satisfy its commitment to provide local matching funds to the facility;

or

However, decertification proceedings against a local government certified before July 1, 2010, shall be delayed until 12 months after the expiration of the local government's existing agreement with a spring training franchise, and without a new agreement being signed, if the certified local government can demonstrate to the office that it is in active negotiations with a major league spring training franchise, other than the franchise that was the basis for the original certification.

(c) A certified applicant has 60 days after it receives a notice of intent to decertify from the office to petition the office's director for review of the decertification. Within 45 days after receipt of the request for review, the director must notify a certified applicant of the outcome of the review.

(d) The office shall notify the Department of Revenue that a certified applicant is decertified within 10 days after the order of decertification becomes final. The Department of Revenue shall immediately stop the payment of any funds under this section that were not encumbered by the certified applicant under subparagraph (3)(a)2.

(e) The office shall order a decertified applicant to repay all of the unencumbered state funds that the local government received under this section and any interest that accrued on those funds. The repayment must be made within 60 days after the decertification order becomes final. These funds shall be deposited into the General Revenue Fund.

(f) A local government as defined in s. 218.369 may not be decertified if it has paid or pledged for the payment of debt service on, or to fund debt service reserve funds, arbitrage rebate obligations, or other amounts payable with respect thereto, bonds issued for the acquisition, construction, reconstruction, or renovation of the facility for which the local government was certified, or for the reimbursement of such costs or the refinancing of bonds issued for the acquisition, construction, reconstruction, or renovation of the facility for which the local government was certified, or for the reimbursement of such costs or the refinancing of bonds issued for such purpose. This subsection does not preclude or restrict the ability of a certified local government to refinance, refund, or defease such bonds.

(6) ADDITIONAL CERTIFICATIONS.—If the office decertifies a unit of local government, the office may accept applications for an additional certification. A unit of local government may not be certified for more than one spring training franchise at any time.

(7) STRATEGIC PLANNING.—

(a) The office shall request assistance from the Florida Sports Foundation and the Florida Grapefruit League Association to develop a comprehensive strategic plan to:

1. Finance spring training facilities.

2. Monitor and oversee the use of state funds awarded to applicants.

3. Identify the financial impact that spring training has on the state and ways in which to maintain or improve that impact.

4. Identify opportunities to develop public-private partnerships to engage in marketing activities and advertise spring training baseball.

5. Identify efforts made by other states to maintain or develop partnerships with baseball spring training teams.

6. Develop recommendations for the Legislature to sustain or improve this state's spring training tradition.

(b) The office shall submit a copy of the strategic plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2010.

(8) RULEMAKING.—The office shall adopt rules to implement the certification, decertification, and decertification review processes required by this section.

(9) AUDITS.—The Auditor General may conduct audits as provided in s. 11.45 to verify that the distributions under this section are expended as required in this section. If the Auditor General determines that the distributions under this section are not expended as required by this section, the Auditor General shall notify the Department of Revenue, which may pursue recovery of the funds under the laws and rules governing the assessment of taxes.

Section 6. Subsection (1) of section 288.1229, Florida Statutes, is amended to read:

288.1229 Promotion and development of sports-related industries and amateur athletics; direct-support organization; powers and duties.—

(1) The Office of Tourism, Trade, and Economic Development may authorize a direct-support organization to assist the office in:

(a) The promotion and development of the sports industry and related industries for the purpose of improving the economic presence of these industries in Florida.

(b) The promotion of amateur athletic participation for the citizens of Florida and the promotion of Florida as a host for national and international amateur athletic competitions for the purpose of encouraging and increasing the direct and ancillary economic benefits of amateur athletic events and competitions.

(c) The retention of professional sports franchises, including the spring training operations of Major League Baseball.

Section 7. An agreement with a spring training franchise relocating from one local government to another local government shall be recognized as a valid agreement under this act if the Office of Tourism, Trade, and Economic Development approved the continuing release of funds to the local government to which the franchise relocated before the effective date of this act. The Legislature recognizes the validity of the agreement and acknowledges the authority of the Office of Tourism, Trade, and Economic Development to provide for the continuing release of funds to the local government under the terms of s. 288.1162, Florida Statutes, which were in effect before the effective date of this act.

Section 8. This act shall take effect upon becoming a law.

TITLE AMENDMENT

Remove the entire title and insert:

A bill to be entitled

An act relating to professional sports franchises; amending ss. 14.2015, 212.20, and 218.64, F.S., relating to the Office of Tourism, Trade, and Economic Development, the distribution of certain tax proceeds, and the allocation of a portion of the local government half-cent sales tax; conforming provisions to changes made by the act; conforming cross-references; amending s. 288.1162, F.S.; deleting provisions relating to the certification and funding of facilities for spring training baseball franchises; authorizing the Auditor General to conduct audits to verify whether certain

funds for professional sports franchises are used as required by law; requiring the Auditor General to notify the Department of Revenue if the funds are not used as required by law; creating s. 288.11621, F.S.; authorizing certain units of local government to apply for certification to receive state funding for a facility for a spring training franchise; providing definitions; providing eligibility requirements; providing criteria to competitively evaluate applications for certification; requiring a certified applicant to use the funds awarded for specified public purposes and place unexpended funds in a trust fund or separate account; authorizing a certified applicant to request a suspension of the distribution of funds for a specified period under certain circumstances; requiring the expenditure of funds by certain certified applicants within a specified period; requiring the completion of certain spring training facility projects within a specified period; requiring certified applicants to submit annual reports to the Office of Tourism, Trade, and Economic Development; requiring the office to decertify applicants under certain circumstances; providing for delay in decertification proceedings for local governments certified before a specified date under certain circumstances; providing for review of the office's notice of intent to decertify an applicant; requiring an applicant to repay unencumbered state funds and interest after decertification; specifying circumstances under which a certified applicant that is a local government may not be decertified under certain circumstances; requiring the office to develop a strategic plan relating to baseball spring training activities; requiring the office to adopt rules; authorizing the Auditor General to conduct audits to verify whether certified funds for baseball spring training facilities are used as required by law; requiring the Auditor General to notify the Department of Revenue if the funds are not used as required by law; amending s. 288.1229, F.S.; providing that the Office of Tourism, Trade, and Economic Development may authorize a direct-support organization to assist in the retention of professional sports franchises; recognizing the validity of specified agreements under certain circumstances; providing an effective date.

Rep. Schenck moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/CS/HB 621—A bill to be entitled An act relating to credit and debit card crimes; amending s. 501.0117, F.S.; prohibiting a seller or lessor from imposing a surcharge on debit card transactions; defining the term "debit card"; providing nonapplicability to offers of a discount for the purpose of inducing payment by cash, check, or other means not involving the use of a debit card; providing penalties; amending s. 817.60, F.S.; prohibiting possession of a stolen credit or debit card in specified circumstances; providing penalties; providing that a retailer who takes, accepts, retains, or possesses a stolen credit or debit card without knowledge that the card is stolen and who is authorized to process transactions by the company issuing the credit or debit card does not commit a violation; providing an effective date.

—was read the second time by title.

On motion by Rep. Brandenburg, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Brandenburg offered the following:

(Amendment Bar Code: 466497)

Amendment 1 (with title amendment)—Remove lines 65-69 and insert: the penalties set forth in s. 817.67(2). A retailer that takes, accepts, retains, possesses, or processes a stolen credit card or debit card does not commit a violation of this subsection if the retailer does so in the ordinary course of business and the retailer does not have actual knowledge that the credit card or debit card is stolen; provided, this exception does not apply to a retail employee who has actual knowledge that the credit card or debit card is stolen.

TITLE AMENDMENT

Remove line 15 and insert:

Card does not commit a violation under certain circumstances; providing an exception for certain retail employees; providing an effective

Rep. Brandenburg moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 821—A bill to be entitled An act relating to international commercial arbitration; amending s. 48.196, F.S.; conforming a reference to changes made by the act; creating s. 684.0001, F.S.; providing a short title; creating s. 684.0002, F.S.; defining the scope of application of the Florida International Commercial Arbitration Act; creating s. 684.0003, F.S.; defining terms; providing rules of interpretation for the act; creating s. 684.0004, F.S.; providing intent that the act be applied and interpreted with respect to its purpose; creating s. 684.0005, F.S.; specifying when a written communication is received; creating s. 684.0006, F.S.; specifying circumstances that constitute a waiver of the right to object; creating s. 684.0007, F.S.; limiting the ability of a court to intervene in an arbitral proceeding; creating s. 684.0008, F.S.; designating the circuit court in which an arbitration is or will be held as the court that may take certain actions authorized by the act; creating s. 684.0009, F.S.; requiring a court to refer matters governed by an arbitration agreement to arbitration; creating s. 684.001, F.S.; authorizing a court to grant an interim measure of protection before or during an arbitral proceeding; creating s. 684.0011, F.S.; authorizing the parties to an arbitration to determine the number of arbitrators; specifying the number of arbitrators for a proceeding if the number of arbitrators is not determined by the parties; creating s. 684.0012, F.S.; specifying procedures for the appointment of an arbitrator; creating s. 684.0013, F.S.; requiring a person who is approached to be an arbitrator to make disclosures relating to conflicts of interest; authorizing the appointment of an arbitrator to be challenged based on a perceived conflict of interest or qualifications; creating s. 684.0014, F.S.; providing procedures to challenge the appointment of an arbitrator; creating s. 684.0015, F.S.; providing for the termination of the mandate of an arbitrator due to failure or impossibility to act; creating s. 684.0016, F.S.; providing a procedure for the appointment of a substitute arbitrator; creating s. 684.0017, F.S.; authorizing an arbitral tribunal to determine its jurisdiction; authorizing a court to determine the jurisdiction of an arbitral tribunal; creating s. 684.0018, F.S.; authorizing an arbitral tribunal to grant an interim measure; creating s. 684.0019, F.S.; specifying conditions under which an interim measure may be granted; creating s. 684.002, F.S.; specifying conditions under which an interim order may be granted to prevent a party from frustrating the purpose of an interim measure; creating s. 684.0021, F.S.; requiring a party to be notified of information relating to an interim measure or preliminary order; requiring that a party be given an opportunity to object to a preliminary order; creating s. 684.0022, F.S.; authorizing an arbitral tribunal to modify, suspend, or terminate an interim measure or preliminary order under certain circumstances; creating s. 684.0023, F.S.; authorizing an arbitral tribunal to require security as a condition of granting an interim measure; requiring security as a condition of granting a preliminary order; creating s. 684.0024, F.S.; requiring certain disclosures as a condition of granting or maintaining an interim measure or preliminary order; creating s. 684.0025, F.S.; providing for liability and an award of costs and damages; creating s. 684.0026, F.S.; providing for the recognition and enforcement of an interim measure by a court; authorizing the court to require security under certain circumstances; creating s. 684.0027, F.S.; specifying grounds under which a court may refuse to enforce an interim measure; creating s. 684.0028, F.S.; authorizing a court to grant an interim measure; creating s. 684.0029, F.S.; requiring parties to an arbitral proceeding to be treated with equality and given an opportunity to present their cases; creating s. 684.003, F.S.; authorizing parties to an arbitration to agree to arbitration procedures; providing default procedures;

creating s. 684.0031, F.S.; authorizing parties to an arbitration to agree on the place of arbitration; providing criteria to determine a default location for the arbitration; creating s. 684.0032, F.S.; specifying the date of commencement of an arbitral proceeding; creating s. 684.0033, F.S.; authorizing parties to an arbitration to agree on the language to be used in the proceeding; authorizing the arbitral tribunal to determine the language in the absence of a decision by the parties; creating s. 684.0034, F.S.; providing for the submission of claims and defenses to an arbitral tribunal; creating s. 684.0035, F.S.; providing for the determination of the method by which evidence will be presented before an arbitral proceeding; creating s. 684.0036, F.S.; specifying actions that constitute a default by a party to an arbitral proceeding; creating s. 684.0037, F.S.; authorizing an arbitral tribunal to appoint an expert and for the parties to question and present other experts to the tribunal's expert, unless otherwise agreed by the parties; creating s. 684.0038, F.S.; authorizing a party or an arbitral tribunal to request the assistance of a court in taking evidence; creating s. 684.0039, F.S.; providing for the choice of law applicable in an arbitral proceeding; creating s. 684.004, F.S.; specifying the number of arbitrators who must make a decision, unless specified otherwise by the parties; creating s. 684.0041, F.S.; authorizing the parties to an arbitral proceeding to enter into a settlement that is recorded as an award by the arbitral tribunal; creating s. 684.0042, F.S.; specifying the form and content of an arbitral award; creating s. 684.0043, F.S.; specifying events that terminate or require an arbitral tribunal to terminate an arbitral proceeding; creating s. 684.0044, F.S.; authorizing an arbitral tribunal to correct and interpret an arbitral award or make an additional award under certain conditions; creating s. 684.0045, F.S.; providing judicial immunity to arbitrators acting under ch. 684, F.S.; creating s. 684.0046, F.S.; specifying conditions under which a court may set aside an arbitral award; creating s. 684.0047, F.S.; providing for the recognition and enforcement of arbitral awards by a court; creating s. 684.0048, F.S.; specifying grounds under which a court may refuse to recognize or enforce an arbitral award; repealing parts I, II, and III of ch. 684, F.S., which create the Florida International Arbitration Act and provide procedures for the conduct of international arbitrations and authorize court proceedings in connection with such arbitrations; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1301—A bill to be entitled An act relating to violations of county ordinances; amending s. 125.69, F.S.; authorizing a county to specify by ordinance penalties for a violation of certain county ordinances; providing an effective date.

—was read the second time by title.

Representative Bogdanoff offered the following:

(Amendment Bar Code: 345193)

Amendment 1 (with title amendment)—Between lines 29 and 30, insert:
Section 2. In any charter county that contains an office of inspector general in order to detect misconduct and other violations, that office may not employ, except for the inspector general himself or herself, a law enforcement officer, as defined in s. 121.0515(2)(a), Florida Statutes, who has a vested right to benefits under a pension plan created pursuant to chapter 121 or chapter 185, Florida Statutes, and who has passed his or her normal retirement date pursuant to s. 121.021(29), Florida Statutes.

TITLE AMENDMENT

Remove line 5 and insert:

ordinances; prohibiting certain offices of inspector general from employing law enforcement officers meeting specified criteria; providing an effective date.

Amendment 1 was temporarily postponed.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

On motion by Rep. Murzin, **CS/HB 1603** was temporarily postponed.

CS/HB 523—A bill to be entitled An act relating to the Florida Civil Rights Hall of Fame; creating s. 760.065, F.S.; providing legislative intent; providing for the establishment and location of the hall of fame; providing for the selection of hall-of-fame members by the Governor upon recommendations by the Florida Commission on Human Relations; providing criteria for such recommendations; authorizing the commission to set time periods for the nomination and selection of hall-of-fame members; assigning responsibility for certain hall-of-fame costs; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 317—A bill to be entitled An act relating to threats; amending s. 836.10, F.S.; revising provisions relating to the sending of or procuring the sending of letters or inscribed communications containing certain threats of death or bodily injury; including electronic communications in provisions; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

SCR 10—A concurrent resolution urging Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States to provide for a balanced federal budget and limit the ability of Congress to dictate to states requirements for the expenditure of federal funds.

—was taken up, having been read the second time earlier today.

Motion

Rep. Steinberg moved to temporarily postpone **SCR 10**.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 866].

The question recurred on the motion to temporarily postpone SCR 10, which was not agreed to. The vote was:

Session Vote Sequence: 867

Representative Reagan in the Chair.

Yeas—39

Bembry	Fitzgerald	Pafford	Schwartz
Bernard	Garcia	Porth	Skidmore
Brandenburg	Gibbons	Rader	Soto
Braynon	Gibson	Reed	Steinberg
Brisé	Heller	Roberson, Y.	Taylor
Bullard	Jenne	Rogers	Thompson, G.
Bush	Jones	Rouson	Thurston
Chestnut	Kiar	Sachs	Waldman
Clarke-Reed	Kriseman	Sands	Williams, A.
Fetterman	Long	Saunders	

Nays—72

Adams	Aubuchon	Burgin	Crisafulli
Adkins	Bogdanoff	Cannon	Dorworth
Ambler	Bovo	Carroll	Drake
Anderson	Boyd	Cretul	Eisnaugle

Evers	Homan	O'Toole	Roberson, K.
Flores	Hooper	Patronis	Schenck
Ford	Horner	Patterson	Schultz
Fresen	Hudson	Plakon	Snyder
Frishe	Kelly	Planas	Stargel
Gaetz	Kreegel	Poppell	Thompson, N.
Galvano	Legg	Precourt	Tobia
Glorioso	Llorente	Proctor	Troutman
Gonzalez	Mayfield	Ray	Van Zant
Grady	McBurney	Reagan	Weatherford
Grimsley	McKeel	Rehwinkel Vasilinda	Weinstein
Hasner	Murzin	Renuart	Wood
Hays	Nehr	Rivera	Workman
Holder	Nelson	Robaina	Zapata

Votes after roll call:

Yeas—Cruz

THE SPEAKER IN THE CHAIR

Motions

Rep. Hays moved to limit debate to 10 minutes per side, pursuant to Rule 11.9, with 5 minutes to close.

Rep. Waldman moved to amend the motion to limit debate to allow 30 minutes per side, which was not agreed to.

The question recurred on the motion by Rep. Hays to limit debate to 10 minutes per side and 5 minutes to close, which was agreed to.

The question recurred on the adoption of **SCR 10**, which was adopted. The vote was:

Session Vote Sequence: 868

Speaker Cretul in the Chair.

Yeas—70

Adams	Ford	Lopez-Cantera	Robaina
Adkins	Fresen	Mayfield	Roberson, K.
Ambler	Frishe	McBurney	Rogers
Anderson	Gaetz	McKeel	Schenck
Aubuchon	Galvano	Murzin	Schwartz
Bembry	Glorioso	Nehr	Snyder
Bogdanoff	Gonzalez	Nelson	Stargel
Bovo	Grady	O'Toole	Thompson, N.
Boyd	Grimsley	Patronis	Tobia
Burgin	Hasner	Plakon	Troutman
Cannon	Hays	Planas	Van Zant
Carroll	Holder	Poppell	Weatherford
Cretul	Homan	Precourt	Weinstein
Crisafulli	Hooper	Proctor	Wood
Dorworth	Horner	Ray	Workman
Drake	Hudson	Reagan	Zapata
Eisnaugle	Kreegel	Renuart	
Evers	Llorente	Rivera	

Nays—42

Bernard	Garcia	Pafford	Schultz
Brandenburg	Gibbons	Patterson	Skidmore
Braynon	Gibson	Porth	Soto
Brisé	Heller	Rader	Steinberg
Bullard	Jenne	Reed	Taylor
Bush	Jones	Rehwinkel Vasilinda	Thompson, G.
Chestnut	Kelly	Roberson, Y.	Thurston
Clarke-Reed	Kiar	Rouson	Waldman
Cruz	Kriseman	Sachs	Williams, A.
Fetterman	Legg	Sands	
Fitzgerald	Long	Saunders	

Votes after roll call:

Yeas to Nays—Rogers, Schwartz

Motion to Adjourn

Rep. Cannon moved that the House, after receiving reports, adjourn for the purpose of holding council and committee meetings and conducting other House business, to reconvene at 9:30 a.m., Thursday, April 22, 2010, or upon call of the Chair. The motion was agreed to.

Messages from the Senate

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 263.

R. Philip Twogood, Secretary

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 321.

R. Philip Twogood, Secretary

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 399.

R. Philip Twogood, Secretary

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1281.

R. Philip Twogood, Secretary

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 1034, as amended, and requests the concurrence of the House.

R. Philip Twogood, Secretary

By the Committee on Rules; and Senators Fasano, Gaetz, and Crist—

CS/SB 1034—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.041, F.S.; revising the standards of conduct for commissioners of the Public Service Commission; requiring that commissioners observe and abide by the Code of Judicial Conduct while conducting docketed proceedings; providing for statutory preemption; providing for penalties; amending s. 350.042, F.S.; deleting references to “ex parte communications” and replacing such references with “prohibited communications”; providing a purpose; providing legislative intent; providing definitions; prohibiting a commissioner or the commissioner’s direct reporting staff from initiating, engaging in, or considering prohibited communications in any proceeding other than an undocketed workshop or an internal affairs meeting; prohibiting any individual from discussing any matter with a commissioner or the commissioner’s direct reporting staff which the individual reasonably foresees will be filed with the commission; requiring that any communication between a commissioner or the commissioner’s direct reporting staff and a representative of a utility be made available to the public; requiring that any communication be posted on the commission’s

website within a specified time after the communication is made or received; requiring that the commission post on its website a copy of written communications received by the commission; requiring that the commission prepare a written summary of certain communications and post such summary on its website within a specified time after the communication is made or received; requiring that notice be posted on the commission's website a minimum number of hours before the occurrence of any meeting, telephone conference call, or written communication between a commissioner or the commissioner's direct reporting staff; authorizing the Office of Public Counsel to participate in such communications for limited purposes; providing an exception for certain commission staff or industry representatives; providing that the restrictions on prohibited communications apply to communications made to or from the Governor, a member of the Cabinet, or a member of the Legislature; providing penalties for members of a commissioner's direct report staff who fail to report certain communications; amending s. 350.0605, F.S.; prohibiting former commissioners and members of a commissioner's direct reporting staff from lobbying the legislative or executive branch of state government on behalf of any client or industry regulated by the commission for 4 years after termination of service or employment with the commission; defining the term "commissioner's direct reporting staff"; prohibiting any former commissioner's direct reporting staff from appearing before the commission representing any client or industry regulated by the commission for 4 years after termination of employment with the commission; providing that such prohibitions apply to commissioners and their direct reporting staff who are appointed or reappointed to or who terminate their employment with the commission on or after a specified date; prohibiting a former commissioner or member of a commissioner's direct reporting staff from accepting employment by or compensation from certain entities regulated by the commission for a period of 4 years after termination of service or employment with the commission; providing that the prohibition applies to former commissioners and members of a commissioner's direct reporting staff who are appointed or reappointed to or hired with the commission on or after a specified date; amending s. 350.061, F.S.; extending reconfirmation intervals for the Public Counsel to 4 years from biennially; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Ambler:

Yeas—April 20: 813, 814, 815, 816, 817, 818, 819, 820

Rep. Lopez-Cantera:

Yeas—April 20: 813

Rep. McKeel:

Yeas—April 20: 815

Rep. Schwartz:

Yeas—April 20: 814

Rep. Thurston:

Yeas—April 20: 800

Rep. Zapata:

Yeas—April 8: 760

Nays—April 8: 750, 752, 754, 756, 758

Disclosure of Interest for Vote Sequence 813

My husband's company, Mike Vasilinda Productions, Inc., has a contract with the Florida Lottery. I am neither a shareholder or officer in that company. It does not appear this legislation [CS/HB 1537] and/or amendments will directly affect that contract or my husband's company. I am, however, in an abundance of caution, disclosing these facts.

*Rep. Michelle Rehwinkel Vasilinda
District 9*

First-named Sponsors

HB 7233—Grady

HB 7243—T. Williams

Cosponsors

HB 5—Aubuchon

HB 7—Evers, Taylor, G. Thompson

CS/CS/HB 25—Anderson

HJR 27—Ford

CS/CS/HB 31—Planas

CS/HB 41—Adkins

CS/HB 109—Gaetz

CS/HB 129—Gaetz, Hudson

CS/HM 227—Murzin

CS/CS/CS/HB 303—Gaetz, Rogers

HJR 313—Gaetz

CS/HB 327—Gaetz

CS/HB 341—Kiar, Mayfield

CS/CS/HB 355—Glorioso

HB 387—Abruzzo, Anderson, Bembry, Bovo, Boyd, Bush, Frishe, Gibbons, Hooper, Plakon, Ray, K. Roberson, Schultz, Weinstein

CS/CS/HB 447—Patronis

CS/HB 467—Brandenburg, Long, O'Toole, Skidmore, G. Thompson

CS/HM 481—Mayfield

HB 521—Drake, Gaetz, Sachs

HB 545—Gaetz

CS/HM 553—Gaetz

CS/CS/CS/HB 561—Gaetz

HB 575—Gaetz

CS/CS/HB 633—Mayfield

CS/CS/CS/HB 665—Brandenburg, Gaetz, Pafford, Randolph

HB 711—Gaetz

CS/HB 765—Bogdanoff, Fitzgerald, Y. Roberson, Sachs

HB 899—Gaetz

HB 923—Fitzgerald, Kreegel, Sachs

CS/HB 1009—Stargel

CS/HB 1029—Gaetz

CS/CS/HB 1061—Anderson

CS/HB 1113—Gaetz

CS/HB 1145—Drake, Gaetz, Sachs

HB 1159—Drake, Gaetz, Sachs

CS/HM 1187—Mayfield

CS/HM 1199—Mayfield

CS/CS/HB 1389—Mayfield

CS/HB 1449—Dorworth

CS/HB 1455—Gaetz

HM 1459—Heller

CS/HB 1525—Adkins, Ford, Gaetz, Patronis

CS/HM 1535—Drake, Gaetz, Kelly, Patronis

HB 1581—Brandenburg

CS for HM 1589 & HM 1365—Drake, Ford, Gaetz, Murzin, Sachs

CS/HM 1609—Adkins, Ambler, Drake, Eisnaugle, Ford, Gonzalez, McBurney, Patronis, Plakon

HR 1613—Braynon

CS/HB 5401—Anderson

HB 7087—Burgin

HB 7111—Burgin

CS/HB 7129—Drake, Gaetz

HCR 8001—Renuart

HR 9059—Hudson

HR 9071—Brandenburg

HR 9075—Heller

HR 9085—Brandenburg

HR 9093—Long, Renuart

HR 9097—Zapata

HR 9099—Murzin

HR 9101—Zapata

HR 9125—Bullard, Robaina, Zapata

HR 9127—Frishe, O'Toole, Renuart

First Reading of Council and Committee Substitutes by Publication

By the Full Appropriations Council on Education & Economic Development; General Government Policy Council; Military & Local Affairs Policy Committee; and Insurance, Business & Financial Affairs Policy Committee; Representatives Aubuchon, Bovo, Kreegel, Proctor, and Van Zant—

CS/CS/CS/CS/HB 663—A bill to be entitled An act relating to building safety; amending s. 196.031, F.S.; specifying an additional condition that constitutes an abandonment of homestead property for homestead exemption purposes; amending s. 399.02, F.S.; authorizing the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to have access to places in which a conveyance and equipment are located; authorizing the division to grant variances from certain rules for undue hardship; prohibiting the enforcement of Phase II Firefighters' Service on certain elevators for a specified period; amending s. 399.15, F.S.; providing an alternative method to allow access to regional emergency elevators; providing for a uniform lock box; providing for a master key; providing the Division of State Fire Marshal with enforcement authority; creating s. 455.2122, F.S.; authorizing distance learning courses as an alternative to classroom instruction for certain licenses; prohibiting the department or regulatory board from requiring centralized licensing examinations for certain licenses; creating s. 455.2123, F.S.; authorizing distance learning courses as an alternative to classroom instruction for certain licenses; prohibiting the department or a regulatory board from requiring centralized licensing examinations for certain licenses; amending s. 468.631, F.S.; revising the amount of a surcharge and imposing the surcharge on certain building permits; requiring the unit of government collecting the surcharge to remit the funds to the Department of Business and Professional Regulation; requiring the unit of government collecting the surcharge to retain a portion of the funds to fund certain activities of building departments; requiring that the remaining funds from the surcharge be used to fund the Florida Homeowners' Construction Recovery Fund and the Florida Building Code Administrators and Inspectors Board; amending s. 468.83, F.S.; providing for the creation of the home inspection services licensing program within the Department of Business and Professional Regulation; amending s. 468.8311, F.S.; revising the term "home inspection services"; amending s. 468.8312, F.S.; deleting a fee provision for certain certificates of authorization; amending s. 468.8313, F.S.; revising examination requirements for licensure as a home inspector; providing fingerprinting requirements and procedures for license applications; providing that the applicant is responsible for certain costs; amending s. 468.8318, F.S.; revising requirements and procedures for certification of corporations and partnerships offering home inspection services to the public; deleting provisions relating to required certificates of authorization; amending s. 468.8319, F.S.; delaying the enforcement of a prohibition against performing certain activities by a person who is not licensed as a home inspector; revising certain prohibitions with respect to providers of home inspection services; amending s. 468.832, F.S.; providing an additional ground for taking certain disciplinary actions; amending s. 468.8324, F.S.; specifying additional requirements for licensure as a home inspector; creating s. 468.8325, F.S.; requiring the department to adopt rules to administer part XV of ch. 468, F.S., relating to home inspectors; amending s. 468.84, F.S.; providing for the creation of the mold-related services licensing program within the Department of Business and Professional Regulation; amending s. 468.8412, F.S.; deleting a fee provision for certain biennial certificates of authorization renewal; amending s. 468.8413, F.S.; revising examination requirements and procedures for licensure as a mold assessor or mold remediator; providing fingerprinting requirements and procedures for license applications; providing that the applicant is responsible for certain costs; amending s. 468.8414, F.S.; specifying an additional applicant

qualification criterion for licensure by endorsement; amending s. 468.8418, F.S.; revising requirements and procedures for certification of corporations and partnerships offering mold assessment or mold remediation services to the public; deleting provisions relating to required certificates of authorization; amending s. 468.8419, F.S.; delaying the enforcement of a prohibition against performing certain activities by a person who is not licensed as a mold assessor; amending s. 468.842, F.S.; providing an additional ground for taking certain disciplinary actions; amending s. 468.8421, F.S.; specifying an insurance coverage requirement for mold assessors; amending s. 468.8423, F.S.; specifying additional requirements for licensure as a mold assessor or mold remediator; creating s. 468.8424, F.S.; requiring the Department of Business and Professional Regulation to adopt rules to administer part XVI of ch. 468, F.S., relating to mold-related services; amending s. 489.103, F.S.; conforming a cross-reference; amending s. 553.37, F.S.; authorizing manufacturers to pay inspection fees directly to the provider of inspection services; providing requirements for rules of the Department of Business and Professional Regulation regarding the schedule of fees; authorizing the department to enter into contracts for the performance of certain administrative duties; revising inspection requirements for certain custom manufactured buildings; amending s. 553.375, F.S.; revising the requirement for recertification of manufactured buildings prior to relocation; amending s. 553.512, F.S.; requiring the Florida Building Commission to establish by rule a fee for certain waiver requests; amending s. 553.721, F.S.; revising the amount of a surcharge and imposing the surcharge on certain building permits; requiring the unit of government collecting the surcharge to electronically remit the funds to the Department of Community Affairs; requiring the unit of government collecting the surcharge to retain a portion of the funds to fund certain activities of building departments; deleting obsolete language; amending s. 553.73, F.S.; conforming cross-references; authorizing counties and municipalities to adopt by ordinance administrative or technical amendments to the Florida Building Code for certain flood-related purposes; specifying requirements and procedures; revising foundation code adoption requirements; authorizing the Florida Building Commission to approve amendments relating to equivalency of standards; exempting certain mausoleums from the requirements of the Florida Building Code; exempting certain temporary housing provided by the Department of Corrections from the requirements of the Florida Building Code; restricting the code, code enforcement agencies, and local governments from imposing requirements on certain mechanical equipment on roofs; amending s. 553.74, F.S.; specifying absence of impermissible conflicts of interest for certain committee or workgroup members while representing clients under certain circumstances; specifying certain prohibited activities for such members; amending s. 553.76, F.S.; authorizing the Florida Building Commission to adopt rules related to consensus-building decisionmaking; amending s. 553.775, F.S.; conforming a cross-reference; authorizing the commission to charge a fee for filing certain requests and for nonbinding interpretations; limiting fees for nonbinding interpretations; amending s. 553.79, F.S.; requiring certain inspection services to be performed under the alternative plans review and inspection process or by a local governmental entity; reenacting s. 553.80(1), F.S., relating to the enforcement of the Florida Building Code, to incorporate the amendments made to s. 553.79, F.S., in a reference thereto; amending s. 553.80, F.S.; specifying nonapplicability of certain exemptions from the Florida Building Code granted by certain enforcement entities under certain circumstances; revising requirements for review of facility plans and construction surveyed for certain hospitals and health care facilities; amending s. 553.841, F.S.; deleting provisions requiring that the Department of Community Affairs maintain, update, develop, or cause to be developed a core curriculum for persons who enforce the Florida Building Code; amending s. 553.842, F.S.; authorizing rules requiring the payment of product evaluation fees directly to the administrator of the product evaluation and approval system; specifying the use of such fees; authorizing the Florida Building Commission to provide by rule for editorial revisions to certain approvals and charge certain fees; providing requirements for the approval of applications for state approval of a product; providing for certain approved products to be immediately added to the list of state-approved products; requiring that the commission's oversight committee review approved products; revising the list of approved evaluation entities;

deleting obsolete provisions governing evaluation entities; amending s. 553.844, F.S.; providing an exemption from the requirements regarding roof and opening protections for certain exposed mechanical equipment or appliances; providing for future expiration; amending s. 553.885, F.S.; revising requirements for carbon monoxide alarms; providing an exception for buildings undergoing alterations or repairs; defining the term "addition" as it relates to the requirement of a carbon monoxide alarm; amending s. 553.9061, F.S.; revising the energy-efficiency performance options and elements identified by the commission for purposes of meeting certain goals; amending s. 553.909, F.S.; revising a compliance criterion for certain swimming pool pumps or water heaters; revising requirements for residential swimming pool pumps and pump motors; amending s. 553.912, F.S.; providing requirements for replacement air-conditioning systems; amending s. 627.711, F.S.; conforming provisions to changes made by the act in which core curriculum courses relating to the Florida Building Code are deleted; revising the list of persons qualified to sign certain mitigation verification forms for certain purposes; amending s. 633.021, F.S.; providing additional definitions for fire equipment dealers; revising the definition of the term "preengineered systems"; amending s. 633.0215, F.S.; providing guidelines for the State Fire Marshal to apply when issuing an expedited declaratory statement; requiring that the State Fire Marshal issue an expedited declaratory statement under certain circumstances; providing requirements for a petition requesting an expedited declaratory statement; exempting certain condominiums from installing manual fire alarm systems; amending s. 633.0245, F.S.; conforming cross-references; amending s. 633.025, F.S.; prohibiting requiring property owners to install fire sprinklers in certain residential property; amending s. 633.026, F.S.; providing legislative intent; revising authority of the State Fire Marshal to contract with and refer interpretive issues to certain entities; providing for the establishment of the Fire Code Interpretation Committee; providing for the membership of the committee and requirements for membership; requiring that nonbinding interpretations of the Florida Fire Prevention Code be issued within a specified period after a request is received; providing for the waiver of such requirement under certain conditions; requiring that the Division of State Fire Marshal charge a fee for nonbinding interpretations; providing that fees may be paid directly to a contract provider; providing requirements for requesting a nonbinding interpretation; requiring that the Division of State Fire Marshal develop a form for submitting a petition for a nonbinding interpretation; providing for a formal interpretation by the State Fire Marshal; requiring that an interpretation of the Florida Fire Prevention Code be published on the division's website and in the Florida Administrative Weekly; amending s. 626.061, F.S.; authorizing certain fire equipment dealer licensees to maintain inactive license status under certain circumstances; providing requirements; providing for a renewal fee; revising certain continuing education requirements; revising an applicant licensure qualification requirement; amending s. 633.081, F.S.; requiring that the State Fire Marshal inspect a building when the State Fire Marshal, rather than the Department of Financial Services, has cause to believe a violation has occurred; providing exceptions for requirements that certain firesafety inspections be conducted by firesafety inspectors; requiring that the Division of State Fire Marshal and the Florida Building Code Administrators and Inspectors Board enter into a reciprocity agreement for purposes of recertifying building code inspectors, plan inspectors, building code administrators, and firesafety inspectors; requiring that the State Fire Marshal develop by rule an advanced training and certification program for firesafety inspectors who have fire code management responsibilities; requiring that the program be consistent with certain standards and establish minimum training, education, and experience levels for such firesafety inspectors; amending s. 633.082, F.S.; authorizing alternative inspection procedures for certain fire hydrants; requiring periodic testing or operation of certain equipment; providing that nonmandated sprinkler systems may not be required to be removed; amending s. 633.352, F.S.; providing an exception to requirements for recertification as a firefighter; amending s. 633.521, F.S.; revising requirements for certification as a fire protection system contractor; revising the prerequisites for taking the certification examination; authorizing the State Fire Marshal to accept more than one source of professional certification; revising legislative intent; amending s. 633.524, F.S.; authorizing the State Fire Marshal to enter into

contracts for examination services; providing for the direct payment of examination fees to contract providers; amending s. 633.537, F.S.; revising the continuing education requirements for certain permit holders; amending 633.72, F.S.; revising the terms of service for members of the Fire Code Advisory Council; repealing s. 718.113(6), F.S., relating to requirements for 5-year inspections of certain condominium improvements; directing the Florida Building Commission to conform provisions of the Florida Building Code with revisions made by the act relating to the operation of elevators; requiring the Department of Management Services to consider the energy efficiency of building materials used for certain purposes in state buildings or facilities; requiring the department to adopt rules relating to installing high-efficiency replacement lamps in buildings owned by a state agency; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health Care Regulation Policy Committee; Representatives Patronis and Van Zant—

CS/HB 715—A bill to be entitled An act relating to health services claims; amending s. 626.9541, F.S.; authorizing certain insurers to offer voluntary wellness or health improvement programs that provide certain rewards or incentives; providing for medical verification for nonparticipation in such programs for certain reasons; providing that such rewards or incentives are not insurance benefits and do not constitute a violation of unfair methods of competition and unfair or deceptive acts or practice provisions; providing construction; amending s. 627.6141, F.S.; authorizing appeals from denials of certain claims for certain services; requiring a health insurer to conduct a retrospective review of the medical necessity of a service under certain circumstances; requiring the health insurer to submit a written justification for a determination that a service was not medically necessary and provide a process for appealing the determination; amending s. 627.6474, F.S.; prohibiting contracts between health insurers and dentists from containing certain fee requirements set by the insurer under certain circumstances; providing a definition; providing application; amending s. 636.035, F.S.; prohibiting contracts between prepaid limited health service organizations and dentists from containing certain fee requirements set by the organization under certain circumstances; providing a definition; providing application; amending s. 641.315, F.S.; prohibiting contracts between health maintenance organizations and dentists from containing certain fee requirements set by the organization under certain circumstances; providing a definition; providing application; amending s. 641.3156, F.S.; authorizing appeals from denials of certain claims for certain services; requiring a health maintenance organization to conduct a retrospective review of the medical necessity of a service under certain circumstances; requiring the health maintenance organization to submit a written justification for a determination that a service was not medically necessary and provide a process for appealing the determination; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Development & Community Affairs Policy Council; and Roads, Bridges & Ports Policy Committee; Representative Aubuchon—

CS/CS/HB 971—A bill to be entitled An act relating to highway safety and motor vehicles; amending s. 316.003, F.S.; defining the term "tri-vehicle" for purposes of the Florida Uniform Traffic Control Law; amending s. 316.066, F.S.; authorizing law enforcement agencies and county traffic operations to access certain crash reports held by an agency; amending s. 316.0741, F.S.; providing that certain tri-vehicles are hybrid vehicles; amending s. 316.159, F.S.; requiring that drivers of certain commercial motor vehicles slow before crossing a railroad grade crossing; providing penalties; amending s. 316.193, F.S.; revising qualifications for an immobilization agency and certain employees of the agency to immobilize vehicles in a judicial circuit; requiring the immobilization agency to verify through a Florida Department of Law Enforcement background check the qualifications of a person hired to immobilize a vehicle; redefining the terms "immobilization agency" and "immobilization agencies"; amending

316.2065, F.S.; requiring bicycles to be ridden in the lane marked for bicycle use except under specified circumstances; providing penalties; amending s. 316.2085, F.S.; permitting certain license tags for motorcycles or mopeds to be affixed perpendicularly to the ground under certain circumstances; amending s. 316.2952, F.S.; authorizing certain satellite reception devices to be attached to the windshield of a motor vehicle; amending s. 316.29545, F.S., relating to window suncreening exclusions; excluding vehicles operated by persons with certain medical conditions from certain window suncreening restrictions; excluding vehicles owned or leased by private investigators or private investigative services from specified window suncreening restrictions; providing rulemaking authority to the Department of Highway Safety and Motor Vehicles regarding suncreening restrictions; amending s. 316.605, F.S.; providing an exception for certain motorcycles or mopeds to a requirement that license plates be affixed and displayed in such a manner that the letters and numerals shall be read from left to right parallel to the ground; amending s. 316.646, F.S.; directing the department to suspend the registration and driver's license of a person convicted of failure to maintain required security on a motor vehicle; amending s. 318.14, F.S.; providing procedures for disposition of a citation for violating specified learner's driver's license restrictions; correcting an erroneous reference; requiring a person who commits a traffic violation requiring a hearing or commits a criminal traffic violation to sign and accept a citation indicating a promise to appear for a hearing; removing a requirement that a person cited for a noncriminal traffic infraction not requiring a hearing must sign and accept the citation indicating a promise to appear; requiring an officer to certify the delivery of a citation to the person cited; providing penalties; providing for certain persons cited for specified offenses to provide proof of compliance to a designated official; providing alternative citation disposition procedures for the offense of operating a motor vehicle with a license that has been suspended for failure to pay certain financial obligations or to comply with specified education requirements; amending s. 318.18, F.S.; providing that the penalty for speeding in designated school crossing is twice the otherwise applicable amount; amending s. 319.28, F.S.; requiring lienholders repossessing vehicles in this state to apply to a tax collector's office in this state or to the department for a certificate of repossession or to the department for a certificate of title; amending s. 319.30, F.S.; defining the term "independent entity" for purposes of provisions for salvage and dismantling, destruction, and change of identity of motor vehicle or mobile home; providing for a notice and release statement prescribed by the department from an insurance company to an independent entity that stores a damaged or dismantled motor vehicle for the insurance company; providing procedures for disposition of the vehicle by the independent entity; requiring the independent entity to notify the owner when the vehicle is available for pick up; authorizing the independent entity to apply for a certificate of destruction or a certificate of title if the vehicle is not claimed within a certain period; providing requirements for submission of the application; prohibiting the independent entity from charging an owner of the vehicle storage fees or applying for a certificate of title under specified provisions; amending s. 320.02, F.S.; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to the League Against Cancer/La Liga Contra el Cancer; amending s. 320.03, F.S., relating to an electronic filing system used to provide titling and registration functions for motor vehicles, vessels, mobile homes, and off-highway vehicles; providing regulatory authority over the electronic filing system to the department; providing for statewide uniform application of the system; providing that entities that sell products that require titling or registration and that meet certain requirements may be agents for the system and may not be precluded from using the system; requiring tax collectors to appoint such entities as electronic filing system agents; providing rulemaking authority; providing that such rules shall replace existing program standards; providing that existing standards remain in place until such rulemaking is complete, except for existing standards conflicting with this section; providing that an authorized electronic filing agent may charge fees to customers; providing that certain providers of the electronic filing system shall continue to comply with certain financial arrangements with the Tax Collector Service Corporation; providing for expiration of the provisions requiring the providers to comply with the

financial arrangements; amending s. 320.05, F.S.; requiring specified fees be collected for providing registration data by electronic access through a tax collector's office; providing for distribution of the fees collected; providing an exception; amending s. 320.071, F.S.; revising the time period during which the owner of an apportioned motor vehicle may file an application for renewal of registration; amending s. 320.08, F.S.; establishing license taxes for tri-vehicles and antique motorcycles; amending s. 45 of chapter 2008-176, Laws of Florida; delaying the expiration of the moratorium on the issuance of new specialty license plates by the department; amending s. 320.08053, F.S.; removing provisions requiring an organization seeking authorization to establish a new specialty license plate to submit a sample survey of motor vehicle owners to the department; requiring the department to establish a method to issue vouchers allowing the presale of a specialty license plate; requiring that an organization that is approved to issue a specialty license plate record with the department a minimum number of voucher sales in order to proceed with the development of the plate; providing for the purchaser of a voucher to receive a refund or use the voucher to purchase of another license plate if the specialty plate is deauthorized; providing that changes to specified provisions relating to establishing a new specialty license plate do not apply to certain organizations; amending ss. 320.08056 and 320.08058, F.S.; conforming provisions to changes made by the act; creating the Hispanics Achievers license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plate; amending s. 320.0807, F.S.; revising provisions governing the special license plates issued to federal and state legislators; amending s. 320.084, F.S.; providing for a biennial registration renewal period for disabled veteran license plates; amending s. 321.03, F.S.; providing that it is unlawful to possess or color or cause to be colored a motor vehicle or motorcycle of the same or similar color as those prescribed for the Florida Highway Patrol unless specifically authorized by the Florida Highway Patrol; amending s. 321.05, F.S.; providing that officers of the Florida Highway Patrol have the same arrest and other authority as that provided for certain other state law enforcement officers; amending s. 322.01, F.S.; defining the term "tri-vehicle" and excluding such vehicles from the definition of "motorcycle" as those terms are used in provisions for drivers' licenses; amending s. 322.08, F.S.; requiring the application form for an original, renewal, or replacement driver's license or identification card to include language permitting the applicant to make voluntary contributions for certain purposes; requiring such forms to include language permitting the applicant to make a voluntary contribution to the League Against Cancer/La Liga Contra el Cancer and to state homes for veterans; providing for distribution of funds collected from such contributions; providing that such contributions are not considered income of a revenue nature; amending s. 322.121, F.S.; revising legislative intent for reexamination of licensed drivers upon the renewal of the driver's license; removing a requirement that each licensee must pass a reexamination at the time of license renewal; amending s. 322.18, F.S.; authorizing a licensed physician at a federally established veterans' hospital to administer a vision test for purposes of renewing a driver's license; conforming a cross-reference; amending s. 322.2615, F.S.; revising requirements for information an officer must submit to the department after suspending a driver's license for certain DUI offenses; removing a requirement that the officer submit a copy of a crash report; authorizing the officer to submit such report; amending s. 322.34, F.S.; providing that if a person does not hold a commercial driver's license and is cited for an offense of knowingly driving while his or her license is suspended, revoked, or canceled for specified offenses, he or she may, in lieu of payment of a fine or court appearance, elect to enter a plea of *nolo contendere* and provide proof of compliance to the clerk of the court, designated official, or authorized operator of a traffic violations bureau; limiting a driver's option to elect such a remedy; amending s. 322.61, F.S.; revising the period of disqualification from operating a commercial motor vehicle for a violation of an out-of-service order; amending s. 488.06, F.S.; specifying additional circumstances under which the department may suspend or revoke a license or certificate of a driving school; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Full Appropriations Council on Education & Economic Development; and Health Care Regulation Policy Committee; Representatives Hays, Patronis, and Van Zant—

CS/CS/HB 1071—A bill to be entitled An act relating to the sale of ephedrine or related compounds; amending s. 893.1495, F.S.; providing a definition; prohibiting obtaining or delivering to an individual in a retail sale any nonprescription compound, mixture, or preparation containing ephedrine or related compounds in excess of specified amounts; revising provisions relating to retail display of products containing ephedrine or related compounds; revising provisions relating to retail employee training; requiring a purchaser of a nonprescription compound, mixture, or preparation containing any detectable quantity of ephedrine or related compounds to meet specified requirements; requiring use of an electronic recordkeeping system approved by the Department of Law Enforcement for such transactions to monitor and record specified information; providing for exemptions from the electronic recordkeeping requirement; requiring information submitted to the system to be retained for a specified period; revising language concerning local ordinances or regulations; providing exemptions for certain entities; conforming language concerning criminal penalties for violations; providing for disclosure of information in the system under certain provisions; prohibiting any retailer or entity that collects information on behalf of a retailer under specified provisions from accessing or using the information, except for law enforcement purposes or to facilitate a product recall for public health and safety; providing limited civil immunity for the release of information to law enforcement officers; requiring the department to contract or enter into a memorandum of understanding with a third party to implement the system; providing for rulemaking; providing a date of implementation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Development & Community Affairs Policy Council; Representatives Eisnagle, Bovo, Crisafulli, Dorworth, Kelly, Kreegel, Murzin, Proctor, Ray, Snyder, and Van Zant—

CS/HB 1157—A bill to be entitled An act relating to the Local Government Prompt Payment Act; amending s. 218.72, F.S.; revising definitions; amending s. 218.735, F.S.; revising provisions relating to the timely payment for purchases of construction services; requiring that a dispute be resolved according to procedures in the contract; prohibiting the assessment of damages against a contractor if the list of items remaining to complete is not timely provided to the contractor; amending s. 218.76, F.S.; revising provisions relating to the resolution of disputes concerning an improper payment request or invoice; providing that a local governmental entity waives its objection in a payment dispute if it fails to commence the dispute resolution procedure within the time required; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Development & Community Affairs Policy Council; Transportation & Economic Development Appropriations Committee; and Roads, Bridges & Ports Policy Committee; Representatives Horner and McKeel—

CS/CS/CS/HB 1271—A bill to be entitled An act relating to transportation; amending s. 20.23, F.S.; authorizing the Department of Transportation to grant a specified pay additive to law enforcement officers assigned to the Office of Motor Carrier Compliance who maintain certification by the Commercial Vehicle Safety Alliance; amending s. 212.055, F.S.; providing that the county commission may apply the proceeds from the charter county transportation system surtax to the planning, development, construction, expansion, operation, and maintenance of on-demand transportation services; defining the term "on-demand transportation services"; amending s. 310.0015, F.S., relating to pilotage rates; providing for such rates to be set by the Pilotage Rate Review Committee to conform to changes made by the act; amending s. 310.002, F.S.; revising the definition

of the term "pilotage" to conform to changes made by the act; amending s. 310.011, F.S.; revising the membership of the Board of Pilot Commissioners; amending s. 310.151, F.S.; redesignating the "Pilotage Rate Review Board" as the "Pilotage Rate Review Committee"; providing that the committee is part of the Board of Pilot Commissioners; revising membership and providing for appointment of members from among the commissioners; requiring members to comply with specified disclosure requirements; providing that decisions of the committee regarding rates are not appealable to the board; directing the Governor to make certain appointments to the Board of Pilot Commissioners before a certain date; repealing s. 315.03(12)(c), F.S., relating to legislative review of a loan program of the Florida Seaport Transportation and Economic Development Council; amending s. 316.003, F.S.; defining the term "motor carrier transportation contract" for purposes of the Florida Uniform Traffic Control Law; amending s. 316.1001, F.S.; revising the method to be used to provide notice following the issuance of a citation for failure to pay a toll; providing that receipt of the citation rather than its mailing constitutes notification; authorizing any governmental entity, including the clerk of court, to provide certain data to the Department of Highway Safety and Motor Vehicles regarding outstanding violations for failure to pay tolls; amending s. 316.302, F.S.; revising reference to specified federal rules and regulations applicable to owners and drivers of commercial motor vehicles engaged in intrastate commerce; providing that certain indemnification provisions in motor carrier transportation contracts are against public policy and are void and unenforceable; defining the term "promisee," as used in motor carrier transportation contracts; provides an exception to such definition; providing for application to certain contracts; amending s. 316.515, F.S.; conforming a cross-reference; amending s. 316.545, F.S.; providing for a reduction in the gross weight of certain vehicles equipped with idle-reduction technologies when calculating a penalty for exceeding maximum weight limits; requiring the operator to provide certification of the weight of the idle-reduction technology and to demonstrate or certify that the idle-reduction technology is fully functional at all times; amending s. 316.550, F.S.; authorizing the department or local authority to issue permits for certain vehicles to operate on certain routes; providing restrictions on routes; providing conditions when vehicles must be unloaded; conforming a cross-reference; amending s. 318.18, F.S.; revising provisions for distribution of proceeds collected by the clerk of the court for disposition of citations for failure to pay a toll; providing alternative procedures for disposition of such citation; providing for adjudication to be withheld and no points assessed against the driver's license unless adjudication is imposed by a court; authorizing a court to direct the department to suspend a person's driver's license for violations involving the failure to pay tolls; amending s. 320.03, F.S.; clarifying provisions requiring that the tax collector withhold issuance of a license plate or revalidation sticker if certain fines are outstanding; amending s. 320.08, F.S.; providing that specified license tax provisions apply to wreckers used for certain purposes; amending s. 320.08058, F.S.; revising authorized uses of revenue received from the sale of United We Stand license plates; amending s. 322.27, F.S.; providing for assessment of points against a driver's license for specified violations of requirements to pay a toll only when the points are imposed by a court; repealing s. 332.14, F.S., relating to the Secure Airports for Florida's Economy Council; providing for the use of funds accrued by the Secure Airports for Florida's Economy Council; amending s. 337.14, F.S.; revising application procedures for the qualification of contractors; requiring any required interim financial statement to be accompanied by an updated application; amending s. 337.401, F.S.; revising provisions for rules of the department that provide for the placement of and access to certain electrical transmission lines on the right-of-way of department-controlled roads; authorizing the rules to include that the use of the limited access right-of-way for longitudinal placement of such transmission lines is reasonable based upon consideration of certain economic and environmental factors; providing that removal or relocation of a transmission line shall be at the expense of the utility; amending s. 337.406, F.S.; prohibiting camping on certain parts of the right-of-way of the State Highway System; amending s. 338.155, F.S.; authorizing the department to adopt rules relating to the payment, collection, and enforcement of tolls; amending ss. 341.051 and 341.3025, F.S.; requiring the use of universal common contactless fare media on new or upgraded public

rail transit systems or public transit systems connecting to such rail systems; amending s. 343.64, F.S.; authorizing the Central Florida Regional Transportation Authority to borrow funds under certain circumstances; amending s. 348.51, F.S.; revising the definition for the term "bonds" when used in the Tampa-Hillsborough County Expressway Authority Law; amending s. 348.545, F.S.; authorizing certain costs to be financed by bonds issued on behalf of the Tampa-Hillsborough County Expressway Authority pursuant to the State Bond Act or bonds issued by the authority under specified provisions; amending s. 348.56, F.S.; authorizing bonds to be issued on behalf of the authority pursuant to the State Bond Act or issued by the authority under specified provisions; revising requirements for such bonds; requiring the bonds to be sold at public sale; authorizing the authority to negotiate the sale of bonds with underwriters under certain circumstances; amending s. 348.565, F.S.; providing that facilities of the expressway system are approved to be refinanced by the revenue bonds issued by the Division of Bond Finance of the State Board of Administration and the State Bond Act or by revenue bonds issued by the authority; providing that certain projects of the authority are approved for financing or refinancing by revenue bonds; amending s. 348.57, F.S.; authorizing the authority to provide for the issuance of certain bonds for the refunding of bonds outstanding regardless of whether the bonds being refunded were issued by the authority or on behalf of the authority; amending s. 348.70, F.S.; providing that the Tampa-Hillsborough County Expressway Authority Law does not repeal, rescind, or modify any other laws; providing that such law supersedes laws that are inconsistent with the provisions of that law; creating pt. XI of ch. 348, F.S., titled "Osceola County Expressway Authority"; providing a short title; providing definitions; creating the Osceola County Expressway Authority as an agency of the state; providing for a governing body of the authority; providing for membership, terms, organization, personnel, and administration; authorizing payment of travel and other expenses; directing the authority to cooperate with and participate in any efforts to establish a regional expressway authority; providing that the authority is not eligible for voting membership in certain metropolitan planning organizations; providing purposes and powers of the authority for acquisition, construction, expansion, maintenance, improvement, operation, ownership, and leasing of the Osceola County Expressway System; providing for use of certain funds to pay or secure obligations; authorizing use of the Osceola County gasoline tax under certain conditions; authorizing the authority to enter into partnerships and other agreements; authorizing the authority to construct, operate, and maintain roads, bridges, avenues of access, thoroughfares, and boulevards, and electronic toll payment systems thereon, outside the jurisdictional boundaries of Osceola County; authorizing the authority to enter into an interlocal agreement with the Orlando-Orange County Expressway Authority to coordinate and plan for projects; prohibiting the authority from pledging the credit or taxing power of the state; requiring consent of local and county jurisdictions prior to acquisition of rights-of-way; requiring consent of local and county jurisdictions for agreements that would restrict construction of roads; providing for bond financing of improvements to certain facilities; providing for issuance and sale of bonds; providing for the employment of fiscal agents; authorizing the State Board of Administration to act as fiscal agent; providing approval of certain facilities that have been financed by the issuance of bonds or other evidence of indebtedness; providing for rights and remedies granted to bondholders; providing for appointment of a trustee to represent the bondholders; providing for appointment of a receiver to take possession of, operate, and maintain the system; providing for lease of the system to the department under a lease-purchase agreement; authorizing the department to act in place of the authority under terms of the lease-purchase agreement; requiring approval by the county for certain provisions of the lease-purchase agreement; providing that upon termination of such lease-purchase agreement title to the system shall be transferred to the state; providing that no pledge of Osceola County gasoline tax funds as rentals under such lease-purchase agreement shall be made without the consent of Osceola County; authorizing the department to expend a limited amount of funds; providing that the system is part of the state road system; providing for the authority to appoint the department as its agent for certain construction purposes; authorizing the authority to acquire property; authorizing the authority to exercise eminent domain; limiting liability of the

authority for preexisting contamination of an acquired property; providing for remedial acts necessary due to such contamination; authorizing agreements between the authority and other entities; providing pledge of the state to bondholders; exempting the authority from taxation; providing that investment in such bonds or other obligations constitutes legal investments; providing that such bonds are eligible for deposit as security for state, municipal, and other public funds; providing that pledges shall be enforceable by bondholders; providing for application and construction of the part; authorizing certain audits of the authority by the Osceola County auditor; requiring reports of such audits to be submitted to the authority and the governing body of Osceola County; providing for dissolution of the authority under certain circumstances; amending s. 369.317, F.S.; providing that certain activity relating to mitigation of certain environmental impacts in the Wekiva Study Area or the Wekiva parkway alignment corridor meet specified impact requirements under certain conditions; amending s. 373.41492, F.S.; increasing the mitigation fee for mining activities in the Miami-Dade County Lake Belt; suspending an annual increase in the mitigation fee; revising the frequency of an interagency committee report; amending s. 403.4131, F.S.; removing provisions relating to a report on the adopt-a-highway program; amending s. 479.01, F.S.; defining the terms "allowable uses," "commercial use," "industrial use," and "zoning category" and revising the definition of the terms "commercial or industrial zone" and "main-traveled way" for purposes of provisions relating to outdoor advertising; conforming cross-references; amending s. 479.07, F.S.; providing for the placement of new or replacement signs erected on an interstate highway in certain areas; requiring such sign to be located on land designated for commercial or industrial use under the future land use map and land use development regulations; exempting such location from specified evaluation criteria; amending s. 479.261, F.S.; removing a provision authorizing the Department of Transportation to rotate certain logo signs relating to gas, food, and lodging services on the rights-of-way of the interstate highway system during a specified period; reducing the annual permit fees for businesses participating in the interstate highway logo sign program; designating pts. I and II of ch. 479, F.S., entitled "General Provisions" and "Special Programs," respectively; creating pt. III of ch. 479, F.S., entitled "Sign Removal"; creating s. 479.310, F.S.; providing intent relating to unpermitted and illegal signs; placing financial responsibility for the removal of such signs; providing the department authority to recover costs of removal of such signs; creating s. 479.311, F.S., providing jurisdiction to consider claims to recover costs; defining the term "venue" for the purposes of a claim filed by the department; creating s. 479.312, F.S.; providing that costs incurred by the department in removing certain signs shall be assessed against certain individuals; providing presumption of a ownership; creating s. 479.313, F.S.; providing for the assessment of the cost of removal for signs following the revocation of a sign permit; creating s. 479.315, F.S.; providing for the assessment of the cost of removal of signs located within a highway right-of-way; amending s. 705.18, F.S.; removing provisions for disposal of personal property lost or abandoned at certain public-use airports; creating s. 705.182, F.S.; providing for disposal of personal property found on premises owned or controlled by the operator of a public-use airport; providing a timeframe for the property to be claimed; providing options for disposing of such personal property; providing procedures for selling abandoned personal property; providing for notice of sale; providing that the rightful owner of such property may reclaim the property at any time prior to sale; permitting airport tenants to establish lost and found procedures; providing that purchaser holds title to the property free of the rights of persons then holding any legal or equitable interest thereto; creating s. 705.183, F.S.; providing for disposition of derelict or abandoned aircraft on the premises of public-use airports; providing procedures for such disposition; requiring a record of when the aircraft is found; defining the terms "derelict aircraft" and "abandoned aircraft"; providing for notification of aircraft owner and all persons having an equitable or legal interest in the aircraft; providing for notice if the owner of the aircraft is unknown or cannot be found; providing for disposition if the aircraft is not removed upon payment of required fees; requiring any sale of the aircraft to be at a public auction; providing notice requirements for such public auction; providing procedures for disposal of the aircraft; providing for liability if charges and costs related to the disposition are more than that obtained from the sale; providing for a lien

by the airport for fees and charges; providing for notice of lien; requiring recording of a claim of lien; providing for the form of the claim of lien; providing for service of the claim of lien; providing that the purchaser of the aircraft takes the property free of rights of persons holding legal or equitable interest in the aircraft; requiring purchaser or recipient to notify the Federal Aviation Administration of change in ownership; providing for disposition of moneys received for an aircraft sold at public sale; authorizing the airport to issue documents relating to the aircraft's disposal; creating s. 705.184, F.S.; providing for disposition of derelict or abandoned motor vehicles on the premises of public-use airports; providing procedures; requiring recording of the abandoned motor vehicle; defining the terms "derelict motor vehicle" and "abandoned motor vehicle"; providing for removal of such motor vehicle from airport premises; providing for notice to the owner, the company insuring the motor vehicle, and any lienholder; providing for disposition if the motor vehicle is not removed upon payment of required fees; requiring any sale of the motor vehicle to be at a public auction; providing notice requirements for such public auction; providing procedures for disposal of the motor vehicle; providing for a lien by the airport or a licensed independent wrecker for fees and charges; providing for notice of lien; requiring recording of a claim of lien; providing for the form of the claim of lien; providing for service of claim of lien; providing that the purchaser of the motor vehicle takes the property free of the rights of persons holding legal or equitable interest in the motor vehicle; amending s. 479.156, F.S.; conforming cross-references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Finance & Tax Council; and Economic Development Policy Committee; Representatives Weatherford, Murzin, Crisafulli, Gaetz, and Proctor—

CS/CS/HB 1509—A bill to be entitled An act relating to economic development; amending s. 125.045, F.S.; requiring an agency or entity that receives county funds for economic development purposes pursuant to a contract to submit a report on the use of the funds; requiring the county to include the report in its annual financial audit; requiring counties to report on the provision of economic development incentives to businesses to the Legislative Committee on Intergovernmental Relations or successor entity; amending s. 159.803, F.S.; conforming a cross-reference; amending s. 166.021, F.S.; requiring an agency or entity that receives municipal funds for economic development purposes pursuant to a contract to submit a report on the use of the funds; requiring the municipality to include the report in its annual financial audit; requiring municipalities to report on the provision of economic development incentives to businesses to the Legislative Committee on Intergovernmental Relations or successor entity; amending s. 196.1995, F.S.; authorizing counties and municipalities to extend economic development ad valorem tax exemptions under certain circumstances; amending s. 212.20, F.S.; providing for distribution of proceeds of the sales and use tax and certain other taxes to the National Swimming Center at Cape Coral, subject to legislative appropriation; amending s. 220.191, F.S.; conforming cross-references; amending s. 288.018, F.S.; revising the allowable uses for matching grants awarded under the Regional Rural Development Grants Program; amending s. 288.1045, F.S.; revising the definition of the term "jobs" for purposes of the qualified defense contractor and space flight business tax refund program; amending s. 288.106, F.S.; providing legislative findings and declarations; revising and providing definitions; revising the amounts of tax refund payments allowable under the tax refund program for qualified target industry businesses; revising criteria for the waiver of wage requirements under the tax refund program for qualified target industry businesses; establishing a schedule for the Office of Tourism, Trade, and Economic Development to review and revise the list of target industries and submit a report to the Governor and Legislature; revising the criteria for evaluating applications for the program; requiring consideration of the state's return on investment in evaluating applications for participation in the program; requiring the Office of Economic and Demographic Research to submit reports to the Legislature evaluating the calculation of the state's return on investment for the program; requiring that additional provisions be

included in tax refund agreements; redesignating the economic-stimulus exemption as the "economic recovery extension"; revising the date by which qualified target industry businesses may request economic recovery extensions; authorizing waiver of a requirement that qualified target industry businesses annually provide proof of taxes paid under certain conditions; requiring the Office of Tourism, Trade, and Economic Development to submit reports to the Governor and Legislature concerning the failure of qualified target industry businesses to complete their tax refund agreements; deleting obsolete provisions; revising the date by which a target industry business may be certified as qualified for the program; conforming cross-references; amending s. 288.107, F.S.; revising the definition of the term "jobs" for purposes of brownfield redevelopment bonus refunds; conforming cross-references; amending s. 288.108, F.S.; revising the definitions of the terms "eligible high-impact business" and "jobs" for purposes of high-impact sector performance grants; revising the guidelines for negotiating the award of high-impact sector performance grants; amending s. 288.1088, F.S.; revising the process for legislative consultation and review of Quick Action Closing Fund projects; authorizing certain Quick Action Closing Fund businesses to request renegotiation of their contracts; providing for review and approval of the requests; providing for the return of funds under certain circumstances; providing for the reappropriation of returned funds; providing for expiration; requiring that certain funds be placed in reserve; providing for the release of funds; providing for the reversion of funds; amending s. 288.1089, F.S.; revising the definitions of the terms "jobs" and "rural area" for purposes of the Innovation Incentive Program; amending s. 290.00677, F.S.; conforming provisions to changes made by the act; amending s. 373.441, F.S.; revising provisions relating to adoption of rules relating to permitting; requiring the Department of Environmental Protection to adopt rules that authorize a local government to petition the Governor and Cabinet for certain delegation requests; requiring the Department of Environmental Protection to detail the statutes or rules that were not satisfied by a local government that made a request for delegation and to detail actions that could be taken to allow for delegation; authorizing a local government to petition the Governor and Cabinet to review the denial of a delegation request; providing for approval of a delegation of authority that meets the requirements of certain rule provisions; amending s. 403.061, F.S.; directing the Department of Environmental Protection to expand the use of online self-certification for certain exemptions and permits; limiting the authority of local governments to specify the method or form for documenting that projects qualify for exemptions or permits; extending the expiration dates of certain permits issued by the Department of Environmental Protection or a water management district; extending certain previously granted buildout dates; requiring a permitholder to notify the authorizing agency of its intended use of the extension; exempting certain permits from eligibility for an extension; providing for applicability of rules governing permits; declaring that certain provisions do not impair the authority of counties and municipalities under certain circumstances; providing legislative intent; providing for inventory of state-owned property; directing the department to submit annual reports to the Governor and Legislature concerning the disposition of such state-owned property; requiring the installation of fuel tank upgrades to secondary containment systems to be completed by specified deadlines; providing for applicability; requiring the department to adopt rules; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the General Government Policy Council; and Agriculture & Natural Resources Policy Committee; Representative T. Williams—

CS/HB 7177—A bill to be entitled An act relating to water resources; amending s. 373.227, F.S.; revising provisions of the comprehensive statewide water conservation program to provide for a Conserve Florida Clearinghouse and a Conserve Florida Clearinghouse Guide to assist public water supply utilities in developing goal-based water conservation plans to meet water conservation requirements for obtaining consumptive use permits; encouraging water management districts and public water supply utilities to use the guide for water conservation plans, reports, evaluations,

and assessments; revising requirements for goal-based water conservation plans submitted by public water supply utilities as part of consumptive use permit applications; deleting an obsolete provision requiring the Department of Environmental Protection to submit a report on the program to the Governor, the Legislature, and substantive legislative committees by a specified date; amending s. 298.66, F.S.; revising provisions prohibiting the obstruction of certain drainage works; amending s. 373.0361, F.S.; providing for the inclusion of wastewater utilities, reuse utilities, and the department in the regional water supply planning process; amending s. 373.079, F.S.; revising provisions relating to the authority of a water management district governing board to employ an executive director, an inspector general, professional persons, and personnel; revising provisions authorizing a water management district governing board to delegate certain authority to the executive director; requiring the governing board to provide a process for referring certain denials to the board for final action; amending s. 373.083, F.S.; revising provisions authorizing a water management district governing board to delegate certain authority to the executive director; deleting a provision prohibiting governing board members from intervening in the review of certain applications; amending s. 373.085, F.S.; requiring water management districts and governmental agencies to encourage public-private partnerships for procurement of materials for infrastructure and restoration work projects; amending s. 373.118, F.S.; authorizing a water management district governing board to delegate certain authority to the executive director; requiring a water management district governing board to provide a process for referring application and petition denials to the board for final action; exempting such delegations from rulemaking under ch. 120; amending s. 373.236, F.S.; reducing the frequency of compliance reports during the term of a consumptive use permit; providing an exception; amending s. 373.250, F.S.; requiring water management districts, in consultation with the department, to adopt rules relating to reclaimed water feasibility evaluations for consumptive use permit applicants; providing rule requirements; encouraging reuse utilities and water management districts to periodically coordinate and share information relating to reclaimed water; requiring water management districts to initiate certain rulemaking by a specified date; amending s. 373.4135, F.S.; revising legislative intent relating to rules of the department and water management districts with respect to mitigation banks and offsite regional mitigation; providing for specified entities to voluntarily establish and operate certain mitigation projects; providing that memoranda of agreement for such projects are exempt from certain rule adoption; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Full Appropriations Council on Education & Economic Development; and Energy & Utilities Policy Committee; Representative Precourt—

CS/HB 7229—A bill to be entitled An act relating to economic incentives for energy initiatives; amending s. 377.601, F.S.; revising legislative intent relating to the state's energy policy; amending s. 377.703, F.S.; conforming cross-references; amending s. 366.02, F.S.; revising the definition of the term "public utility" for purposes of regulating such utilities; creating s. 366.90, F.S.; providing legislative intent relating to renewable energy production of electricity; amending s. 366.91, F.S.; deleting legislative intent provisions to conform to changes made by the act; revising definitions of the terms "biomass" and "renewable energy"; requiring public utilities to purchase renewable energy from producers at full avoided cost under certain circumstances; providing that renewable energy producers are entitled to sell electrical energy to a public utility at full avoided cost under certain circumstances; providing legislative findings; providing for the calculation of full avoided cost for such purchases of renewable energy; declaring that certain actions taken by the Public Service Commission are not actions relating to utility rates or services; amending s. 366.92, F.S.; deleting the legislative intent provisions; deleting and revising definitions; deleting provisions for the renewable portfolio standard and renewable energy credits; providing a mechanism for providers to recover costs to produce or purchase specified amounts of renewable energy through the environmental cost-

recovery clause under certain conditions; requiring providers to include specified information related to renewable energy development in a certain report; authorizing a developer of solar energy generation to locate a solar energy generation facility on the premises of a host consumer under certain circumstances; requiring the commission to adopt rules and submit reports to the Legislature; amending s. 403.503, F.S.; revising the definition of "electrical power plant" for purposes of the Florida Electrical Power Plant Siting Act; amending ss. 288.9602 and 288.9603, F.S.; revising legislative findings and declarations and definitions for purposes of the Florida Development Finance Corporation Act; amending s. 288.9604, F.S.; revising requirements for the establishment and organization of the Florida Development Finance Corporation; amending s. 288.9605, F.S.; revising the powers of the corporation; amending s. 288.9606, F.S.; revising requirements for the corporation's issuance of revenue bonds; amending s. 288.9607, F.S.; limiting the corporation's approval of guaranties for debt service for bonds or other indebtedness for any one capital project; deleting provisions for the corporation's investment of certain funds in the State Transportation Trust Fund; authorizing guaranties to be used in conjunction with federal guaranty programs; amending s. 288.9608, F.S.; creating the Energy, Technology, and Economic Development Guaranty Fund; providing for the deposit and use of certain moneys in the fund; deleting requirements for the corporation's debt service reserve account and Revenue Bond Guaranty Reserve Account; amending ss. 288.9609, 288.9610, 206.46, 215.47, 339.08, and 339.135, F.S.; conforming provisions to changes made by the act; providing for severability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Reference

CS/CS/CS/CS/HB 663—Referred to the Calendar of the House.

CS/CS/HB 971—Referred to the Calendar of the House.

CS/HB 1157—Referred to the Calendar of the House.

CS/CS/HB 1271—Referred to the Calendar of the House.

CS/CS/CS/HB 1445—Referred to the Calendar of the House.

CS/HB 7103—Referred to the Calendar of the House.

CS/HB 7177—Referred to the Calendar of the House.

CS/HB 7229—Referred to the Calendar of the House.

HR 9093—Referred to the Calendar of the House.

HR 9097—Referred to the Calendar of the House.

HR 9099—Referred to the Calendar of the House.

House Resolutions Adopted by Publication

At the request of Rep. Robaina—

HR 9101—A resolution designating February 24, 2010, as the "Day of the Cuban Exile."

WHEREAS, on February 24, 1895, Jose Marti and the patriotic Mambises initiated the final and triumphant battle for the freedom of Cuba against the forces of foreign domination, and

WHEREAS, since the heroic achievement of Cuban independence, the Republic of Cuba played an important role in the development of Western values until, in 1959, under the guise of democratic reform, the forces of Communism took over the island, and

WHEREAS, the implementation of Communism led to the dismantling of Cuba's institutions and the suppression of its democratic ideals, while fueling

the ambitions and malice of politicians, guerillas, drug traffickers, demagogues, and tyrannical political candidates, and

WHEREAS, when the Communist dictatorship took control of the island, the citizens of Cuba continued to battle for freedom and many Cubans were killed by firing squads, thousands were imprisoned, and millions were exiled, and those who remain continue to live and die without human rights and in extreme poverty but have never renounced their dignity and passion for justice, and

WHEREAS, Cubans who have escaped into exile remain an enduring and indivisible element of the eternal Cuba and continue to seek solidarity with all freedom-loving, democratic governments and nations in their crusade for God, Country, and Liberty, and

WHEREAS, on February 24, 1996, four members of Brothers to the Rescue, a group formed by Cuban exiles to assist refugees escaping from Cuba, were assassinated by the Cuban Air Force as they flew a humanitarian mission in international waters, and

WHEREAS, the date February 24 holds a special historical and emotional significance for Cuban exiles, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That February 24, 2010, is designated as the "Day of the Cuban Exile."

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Evers—

HR 9105—A resolution recognizing and commending the individuals, foundations, and corporate givers of the state for their charitable acts that enrich the quality of life of all Floridians.

WHEREAS, according to the National Center for Charitable Statistics, Florida is home to over 71,000 nonprofit organizations that provide an array of services such as feeding the hungry, sheltering the homeless, supporting education and research, and promoting the arts, and

WHEREAS, individuals, foundations, and corporations in Florida donated approximately \$17.7 billion to charitable organizations in 2007, and

WHEREAS, individual giving accounted for almost 80 percent of Florida's charitable gifts while charitable bequests comprised approximately 12 percent, and foundations, corporations, and other grant-making organizations provided the remaining 8 percent, and

WHEREAS, 75 percent of Floridians gave money to a charitable organization in 2008, and

WHEREAS, according to the Florida Philanthropic Network, Florida has more than 4,000 active grant-making foundations and corporate givers that distributed more than \$1.4 billion in grants to charitable organizations and causes in 2007, and

WHEREAS, individuals, foundations, and corporate givers contribute to the state's economic and social systems in ways that government and businesses cannot, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the generous individuals, foundations, and corporate givers of this state are recognized and commended for the many charitable acts they perform that enrich the quality of life of all Floridians.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Garcia—

HR 9125—A resolution designating April 21-22, 2010, as "Miami-Dade County Days" at the Capitol.

WHEREAS, greater Miami-Dade County contains thousands of businesses that employ millions of people and is the site of foreign consulates, international trade offices, and multinational chambers of commerce, and

WHEREAS, Miami-Dade County is a center of world finance, with hundreds of financial institutions and foreign agencies within its boundaries, and

WHEREAS, the film and music industries have made Miami-Dade County one of the largest video and audio production centers in the nation, and

WHEREAS, agriculture continues to provide hundreds of millions of dollars annually in economic activity to Miami-Dade County, and the agricultural industry has diversified in such a manner that Miami-Dade County is now one of the largest producers in the United States of tropical fruits, ornamental plants, and fish, and

WHEREAS, manufacturing is also an important industry in Miami-Dade County, with thousands of companies employing several thousand individuals in manufacturing jobs, and

WHEREAS, Miami-Dade County is currently experiencing a cultural boom in world-class entertainment and cultural activities, which is evidenced by the thousands of nonprofit cultural organizations offering dance, theater, music, and visual arts, and festivals and special events, and

WHEREAS, the Miami-Dade County community is a microcosm of the world, in which scores of countries are represented and diverse languages are spoken daily, and

WHEREAS, 21 years ago the late Representative John F. Cosgrove, as chairperson of the former Dade County legislative delegation, worked with the private sector to create what is now Miami-Dade County Days in Tallahassee, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That April 21-22, 2010, are designated as "Miami-Dade County Days" at the Capitol.

—was read and adopted by publication pursuant to Rule 10.16.

Reports of Standing Councils and Committees

Received April 20:

The Rules & Calendar Council reported the following favorably:
CS/HM 145

The above council substitute was transmitted to the next council or committee of reference, the Policy Council.

The Full Appropriations Council on Education & Economic Development reported the following favorably:
CS/HB 1071 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 1071 was laid on the table.

The Full Appropriations Council on Education & Economic Development reported the following favorably:
HB 7229 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 7229 was laid on the table.

Received April 21:

The Full Appropriations Council on Education & Economic Development reported the following favorably:
CS/CS/CS/HB 663 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/CS/CS/HB 663 was laid on the table.

The Health Care Regulation Policy Committee reported the following favorably:

HB 715 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 715 was laid on the table.

The Economic Development & Community Affairs Policy Council reported the following favorably:

CS/HB 971 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 971 was laid on the table.

The Economic Development & Community Affairs Policy Council reported the following favorably:

HB 1157 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 1157 was laid on the table.

The Economic Development & Community Affairs Policy Council reported the following favorably:

CS/CS/HB 1271 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/CS/HB 1271 was laid on the table.

The Finance & Tax Council reported the following favorably:

CS/HB 1509 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 1509 was laid on the table.

Excused

Reps. Coley, Culp; Rep. Domino after 11:26 a.m.; Rep. Glorioso from 4:00 p.m. until 4:39 p.m.; Rep. Hukill after 12:45 p.m.; Rep. T. Williams after 5:16 p.m.

The following Conference Committee Managers were excused in order to conduct business with their Senate counterparts:

HB 5001, and related legislation (HB 5003, CS/HB 5101, HB 5201, HB 5301, HB 5303, HB 5305, HB 5307, HB 5309, HB 5311, CS/HB 5401, HB 5403, HB 5501, CS/HB 5503, HB 5505, HB 5601, HB 5603, HB 5605, HB 5607, CS/HB 5611, HB 5701, HB 5703, HB 5705, HB 5707, HB 5709, HCR 5711, HB 5713, CS/HB 5801, CS for CS for SB 1238, CS for SB 1396, CS for SB 1436, CS for SB 1442, CS for CS for SB 1484, CS for SB 1508, CS for SB 1510, CS for SB 1514, CS for CS for SB 1516, CS for SB 1592, CS for SB 1646, CS for SB 2020, CS for SB 2024, CS for SB 2374, and CS for SB 2386), to serve with Rep. Rivera, Chair: PreK-12 Appropriations Committee—Rep. Flores, Chair, and Reps. Bullard, Clarke-Reed, Coley, Fresen, Kiar, Legg, and Stargel; State Universities & Private Colleges Appropriations—Rep. Proctor, Chair, and Reps. Bernard, Brisé, Burgin, Dorworth, Jones, McKeel, O'Toole, and Reed; Transportation & Economic Development Appropriations—Rep. Glorioso, Chair, and Reps. Carroll, Fitzgerald, Gibson, Jenne, Horner, Hukill, Murzin, Patronis, Rogers, and Schenck; Criminal & Civil Justice

Appropriations—Rep. Adams, Chair, and Reps. Eisnaugle, Holder, Kreegel, McBurney, Porth, Rouson, Soto, and Tobia; Government Operations Appropriations—Rep. Hays, Chair, and Reps. Abruzzo, Braynon, Gonzalez, Nelson, Ray, A. Williams, and Workman; Health Care Appropriations—Rep. Grimsley, Chair, and Reps. Chestnut, Ford, Frishe, Hudson, Y. Roberson, Skidmore, and N. Thompson; Natural Resources Appropriations—Rep. Poppell, Chair, and Reps. Bembry, Boyd, Brandenburg, Crisafulli, Plakon, Precourt, and T. Williams; Full Committee—At Large: Reps. Aubuchon, Bogdanoff, Galvano, Gibbons, Hasner, Lopez-Cantera, Reagan, Sands, G. Thompson, Thurston, and Weatherford.

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 7:31 p.m., to reconvene at 9:30 a.m., Thursday, April 22, 2010, or upon call of the Chair.

CHAMBER ACTIONS ON BILLS

Wednesday, April 21, 2010

SCR	10 — Read 2nd time; Amendment 429467 adopted; Amendment 312431 Failed; Amendment 723367 adopted; Amendment 174929 Failed; Amendment 397093 Failed; Adopted; YEAS 70, NAYS 42	CS/CS/HB	885 — Read 3rd time; Amendment 160077 adopted; CS passed as amended; YEAS 114, NAYS 0
		CS/CS/HB	911 — Read 3rd time; CS passed; YEAS 113, NAYS 0
		HB	923 — Read 3rd time; Passed as amended; YEAS 114, NAYS 0
HJR	15 — Read 2nd time	SM	944 — Substituted for CS/HM 253; Read 2nd time; Adopted
CS/CS/HB	31 — Read 2nd time		
CS/CS/HJR	37 — Read 2nd time	CS/CS/HB	945 — Read 3rd time; CS passed; YEAS 99, NAYS 13
CS/HB	91 — Read 3rd time; CS passed; YEAS 113, NAYS 0	CS/HB	951 — Read 3rd time; CS passed; YEAS 114, NAYS 0
CS/HB	129 — Substituted CS/SB 464; Laid on Table, refer to CS/SB 464	CS/HB	1003 — Read 2nd time
CS/CS/HB	225 — Temporarily postponed, on 2nd Reading	CS/CS/HB	1005 — Read 3rd time; CS passed as amended; YEAS 116, NAYS 0
CS/HM	227 — Read 2nd time; CS adopted	CS/HB	1145 — Read 2nd time
CS/HM	253 — Substituted SM 944; Laid on Table, refer to SM 944	HB	1159 — Read 2nd time
CS/HB	317 — Read 2nd time	HB	1179 — Read 3rd time; Passed; YEAS 115, NAYS 0
CS/CS/HB	447 — Temporarily postponed, on 3rd Reading	CS/HM	1187 — Read 2nd time; CS adopted
CS for SB	464 — Substituted for CS/HB 129; Read 2nd time; Read 3rd time; CS passed; YEAS 106, NAYS 0	HB	1195 — Read 2nd time; Amendment 426121 adopted
CS/HM	481 — Read 2nd time; CS adopted	CS/HM	1199 — Substituted SM 1896; Laid on Table, refer to SM 1896
CS/HB	491 — Read 3rd time; CS passed; YEAS 112, NAYS 0	CS/HB	1233 — Read 3rd time; CS passed; YEAS 115, NAYS 0
CS/CS/HB	509 — Read 3rd time; CS passed; YEAS 111, NAYS 0	CS/HB	1253 — Read 3rd time; Amendment 279849 adopted; CS passed as amended; YEAS 114, NAYS 0
HB	521 — Read 2nd time	HB	1301 — Read 2nd time
CS/HB	523 — Read 2nd time	CS/CS/HB	1337 — Read 3rd time; CS passed as amended; YEAS 113, NAYS 0
CS/HM	553 — Read 2nd time; CS adopted		
CS/HB	573 — Read 3rd time; CS passed; YEAS 114, NAYS 0	CS/HM	1349 — Read 2nd time; CS adopted
CS/CS/CS/HB	621 — Read 2nd time; Amendment 466497 adopted	CS/CS/HB	1389 — Read 2nd time
CS/CS/HB	633 — Read 2nd time	CS/CS/HB	1411 — Read 2nd time; Amendment 197765 adopted; Amendment 434641 adopted
HB	661 — Read 3rd time; Passed; YEAS 113, NAYS 0	CS/HB	1455 — Read 2nd time
CS/CS/CS/HB	713 — Read 2nd time	CS/HB	1505 — Read 3rd time; CS passed; YEAS 115, NAYS 0
CS/HB	765 — Read 3rd time; CS passed as amended; YEAS 114, NAYS 0	CS/HB	1525 — Substituted CS/SB 2742; Laid on Table, refer to CS/SB 2742
CS/CS/HB	787 — Read 3rd time; CS passed; YEAS 115, NAYS 0	CS/HM	1535 — Read 2nd time; CS adopted
CS/HB	821 — Read 2nd time	HB	1581 — Read 3rd time; Passed; YEAS 114, NAYS 0
CS/CS/HB	869 — Read 2nd time; Amendment 368363 adopted	CS/HM	1583 — Read 2nd time; CS adopted

CS/HM	1589 — Read 2nd time; CS adopted	CS/HB	7183 — Read 3rd time; CS passed as amended; YEAS 81, NAYS 30
CS/HB	1603 — Temporarily postponed, on 2nd Reading	CS/HB	7205 — Read 2nd time; Amendment 302041 adopted
CS/HM	1609 — Read 2nd time	CS/HB	7213 — Read 2nd time
HR	1613 — Read 2nd time; Adopted	HB	7219 — Read 3rd time; Passed; YEAS 115, NAYS 0
SM	1896 — Substituted for CS/HM 1199; Read 2nd time; Adopted	HB	7239 — Temporarily postponed, on 2nd Reading
CS for SB	2742 — Substituted for CS/HB 1525; Read 2nd time; Amendment 368547 adopted; Amendment 026179 Failed; Amendment 295405 Failed; Amendment 639177 Failed	HR	9093 — Read 2nd time; Adopted
		HR	9097 — Read 2nd time; Adopted
CS/HB	7129 — Read 2nd time; Amendment 094859 adopted; Amendment 826393 adopted; Amendment 039303 adopted	HR	9099 — Read 2nd time; Adopted

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